For information on
20 May 2014

Legislative Council Panel on Manpower

Progress of the Work of the Standard Working Hours Committee

Introduction

      In July 2013, the Labour and Welfare Bureau and the Labour Department made a report to the Panel on Manpower on the setting up and workplan of the Standard Working Hours Committee (SWHC). This paper briefs Members on its work progress.

Background

2.   To follow up on the Report of the Policy Study on Standard Working Hours (SWH) (the Report) released in November 2012, the Government set up SWHC in April 2013 for a term of three years. Chaired by Dr Leong Che-hung, SWHC comprises 23 members drawn from the labour and business sectors, academia, community and Government. Among the members, 12 are serving members of the Labour Advisory Board (LAB) who sit on the Committee as ex-officio members by virtue of their LAB membership. Of the remaining 11 members, one each comes from the labour sector and the business field, and three each from the academia, community and Government[1].

3.   The terms of reference of SWHC are:

    (a)   to follow up on the Government's policy study on SWH and conduct further in-depth studies, as necessary, on the key issues identified therein;

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[1]   The membership of SWHC is set out at the Annex.

(b)   to promote understanding of SWH and related issues including, among others, employees' overtime work conditions and arrangements; to engage the public in informed discussions on the relevant issues; and to gauge the views of stakeholding groups; and

(c)   to report to the Chief Executive and advise on the working hours situation in Hong Kong, including whether a statutory SWH regime or any other alternatives should be considered.

4.   SWHC has convened six meetings in the past 13 months and established two working groups on "Working Hours Consultation" (Consultation Group) and "Working Hours Study" (Study Group) to respectively conduct wide public consultation and comprehensive working hours surveys. The working groups have respectively convened five meetings since their formation in July 2013.

Work Strategy and Major Work Areas

5.   To promote informed and in-depth discussions of the community on working hours issues, and to jointly explore and identify options that suit the circumstances of Hong Kong, SWHC is taking forward its work in four areas, including: (a) enhancing public understanding; (b) engaging the public and building community consensus on various options; (c) collection of relevant information, including working hours statistics and further research into the working hours regimes of other places; and (d) adoption of an evidence-based approach for discussion on the basis of a range of relevant factors. Further elaboration on these four areas of work is given in paragraphs 6 to 13 below.

(a)   Enhancing Public Understanding

6.   SWHC has launched various education and promotional activities to enhance public understanding of various working hours issues (for example, standard versus maximum working hours, different objectives

of working hours regimes, etc.) as well as the possible multifarious implications of working time regulation for employees' wage levels and working hours, employees' health at work, labour market flexibility, overall economic competitiveness, etc.   These activities include:

(i)   **Dedicated website** – Launched in November 2013, SWHC's website (www.swhc.org.hk) provides a convenient platform for disseminating and browsing reference information on working hours issues and work of SWHC including gists of its discussions and public engagement activities, etc.

(ii) **TV promotional programmes** – To drive home the key messages of a working hours policy, a series of bilingual TV promotional programmes were broadcast in March 2014.   Sustained publicity has been arranged for screening the programmes at SWHC's consultation sessions and exhibitions as well as on its website. DVDs of the programmes are being produced for distribution to members of the public.

(iii) **Roving exhibitions** – Through a set of panels featuring a comics story, SWHC has since March 2014 been organising roving exhibitions across Hong Kong to disseminate information on the work focus of SWHC, essential components of a working hours regime, and issues to be considered in deliberating a working hours policy, etc.   Apart from district-based exhibitions, the panels are displayed at consultation sessions and their contents have been uploaded to SWHC's website for public browsing and converted to comic books for distribution to the public through various channels.

(b)   Public Engagement and Consultation Campaign

7.   As the working hours policy would impact on a wide spectrum of sectors, and employers and employees of various trades hold divergent views on whether SWH should be implemented through legislative means,

SWHC considers it necessary to conduct a wide public engagement and consultation exercise to collect views on working hours issues and promote more informed discussions. A consulting firm has been commissioned to assist with the public engagement and consultation, and analyse the views received. Since the commencement of public consultation on 28 January 2014, the Consultation Group has been taking forward consultation activities in four directions, namely (i) the sectors with relatively long working hours mentioned in the Report; (ii) specific occupations/ professions; (iii) the general public; and (iv) other major industries and organisations.

8.   After meeting with major employers' associations and labour organisations in January and February 2014, SWHC has been holding a series of symposia for organisations of various occupations/ professions from March to May 2014.   From end-May to end-July 2014, SWHC will conduct large-scale open consultation forums for sectors with relatively long working hours and the general public to collect the views of the community on working hours. Apart from these some 30 consultation sessions, members of the public and stakeholding organisations are welcome to give written views by 31 July 2014 on working hours by emails, fax or letters.

(c)   *Collecting Comprehensive Working Hours Statistics and Relevant Information*

9.   SWHC has agreed to adopt an evidence-based approach for conducting objective and impartial discussions.   SWHC has commissioned a consulting firm to collect comprehensive working hours data and views on a working hours policy from at least 10 000 employed persons through face-to-face interviews and at least 1 500 persons engaged in occupations/ professions with relatively long working hours or distinctive working hours patterns through self-administered questionnaires. Apart from making reference to the Annual Earnings and Hours Surveys regularly conducted by the Census and Statistics Department, the Study Group also oversees the conduct of dedicated working hours surveys.

10.　　Full-scale fieldwork of the above dedicated surveys is planned to be held in June through August 2014.　The surveys will enable SWHC to obtain more updated and in-depth local working hours statistics for a more comprehensive analysis and informed discussion.

11.　　In addition to the dedicated working hours surveys, the Government will collect and update the relevant information of working hours regimes of the 12 selected economies[2] covered by the Report for SWHC's reference.

(d)　Evidence-based Discussion on the Basis of a Range of Relevant Factors

12.　　The working hours policy involves a wide range of complex issues with widespread and far-reaching implications for the overall labour market, manpower demand, employment relations, work culture, business environment, economic development and business competitiveness.　SWHC therefore considers that apart from the dedicated working hours surveys, a range of relevant factors should be identified for analysing the implications of the working hours policy for employees and employers of various trades, the overall economy, labour market, business environment, and long-term competitiveness, etc.

13.　　SWHC has endorsed the framework of a range of relevant factors for a possible working hours regime which includes (i) relationship between working hours and the macroeconomic environment over the years; (ii) the socio-economic characteristics of employees with relatively long working hours and the operational characteristics of the sectors with relatively long working hours; and (iii) socio-economic factors including the state of the local economy, labour market situation, competiveness, family life, labour relations, quality of life as well as occupational safety and health.　These relevant factors will facilitate informed and objective discussions of various working hours issues.

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[2]　The 12 economies included Singapore, the Republic of Korea, Japan, the Mainland, Macao, Taiwan, Australia, the European Union (the European Union as a whole, with particular reference to the United Kingdom and Belgium), the United States and Canada.

The Way Forward

14.   The two Working Groups of SWHC are pressing ahead with their work at full steam and aim to submit their reports to the Committee by the end of this year. Based on the findings of the reports, SWHC will deliberate and formulate its further work, including identification and assessment of different working hours policy options.

Labour and Welfare Bureau
Labour Department
May 2014

Membership of the Standard Working Hours Committee

Chairperson
Dr Leong Che-hung, GBM, GBS, JP

Non-official members
Dr Jane Lee Ching-yee
Mr Ma Ho-fai, SBS, JP
Prof Chong Tai-leung
Prof Joe Leung Cho-bun, MH, JP
Ms Susanna Chiu Lai-kuen, MH
Mr Lau Chin-shek, JP
Dr Kevin Lau Kin-wah, JP
Prof Raymond So Wai-man, JP

Members of the Labour Advisory Board as ex-officio members
(Employee Representatives)
Mr Leung Chau-ting
Mr Chung Kwok-sing
Mr Lee Tak-ming
Mr Ng Chau-pei
Mr Chau Siu-chung
Ms Chan So-hing

(Employer Representatives)
Mr Ho Sai-chu, GBS, JP
Dr Kim Mak Kin-wah, BBS, JP
Mr Stanley Lau Chin-ho, BBS, MH, JP
Mr Irons Sze, JP
Mr Emil Yu Chen-on
Mr Thomas Ho On-sing, JP

Members who are public officers
Permanent Secretary for Labour and Welfare
Commissioner for Labour
Government Economist