

立法會 *Legislative Council*

LC Paper No. CB(4)1218/17-18
(These minutes have been seen
by the Administration)

Ref : CB4/PL/PS

Panel on Public Service

**Minutes of meeting held on
Friday, 13 April 2018, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon POON Siu-ping, BBS, MH (Chairman)
Hon Jeremy TAM Man-ho (Deputy Chairman)
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Charles Peter MOK, JP
Hon KWOK Wai-keung, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, BBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon CHUNG Kwok-pan
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon SHIU Ka-fai
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon Tony TSE Wai-chuen, BBS

Members attending : Hon James TO Kun-sun

Members absent : Hon Martin LIAO Cheung-kong, SBS, JP

Public Officers attending : Agenda item IV

Mr Joshua LAW, GBS, JP
Secretary for the Civil Service

Mr Thomas CHOW, JP
Permanent Secretary for the Civil Service

Ms Amy WONG
Deputy Secretary for the Civil Service 2

Agenda item V

Ms Amy WONG
Deputy Secretary for the Civil Service 2

Mr Benjamin MOK
Principal Assistant Secretary for the Civil Service (Pay & Leave)

Ms Angela LEE
Deputy Secretary for Transport and Housing (Transport)⁵

Ms Maisie CHENG, JP
Director of Marine

Mr WONG Sai-fat
Deputy Director of Marine

Mr Freely CHENG, JP
Deputy Director of Marine (Special Duties)

Mr LAI Chi-tung
Assistant Director of Marine (Port Control)

Clerk in attendance : Mr Anthony CHU
Chief Council Secretary (4)¹

Staff in attendance : Ms Wendy JAN
Senior Council Secretary (4)⁷

Ms Maggie CHUNG
Council Secretary (4)1

Mr Griffin FUNG
Legislative Assistant (4)8

Mr Terry HON
Clerical Assistant (4)1

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I. Confirmation of minutes

(LC Paper No. CB(4)876/17-18 -- Minutes of meeting held
on 26 February 2018)

The minutes of the meetings held on 26 February 2018 were confirmed.

II. Information papers issued since the last regular meeting on 19 March 2018

(LC Paper No. CB(4)798/17-18(01) -- Submission from the
Hong Kong
Confederation of Trade
Unions (Chinese version
only)

LC Paper No. CB(4)899/17-18(01) -- Administration's response
to the submission from
the Hong Kong
Confederation of Trade
Unions

LC Paper No. CB(4)899/17-18(02) -- Submission from the
Model Scale 1 Staff
Consultative Council
(Staff Side) (Chinese
version only))

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2. Members noted that the above papers had been issued since the last meeting.

Extension of service of civil servants who joined the Government between 1 June 2000 and 31 May 2015

3. The Chairman informed the meeting that the Panel had received two submissions on the extension of service of civil servants who joined the Government between 1 June 2000 and 31 May 2015 ("the new initiative"), one from the Hong Kong Confederation of Trade Unions (LC Paper No. CB(4)798/17-18(01)), and the other from the Model Scale 1 Staff Consultative Council (Staff Side) (LC Paper No. CB(4)899/17-18(02)).

4. The Chairman said that the Hong Kong Confederation of Trade Unions had suggested extending the consultation period for the new initiative, which was currently from 20 February to 30 April 2018. In parallel, the Panel should hold a public hearing to gauge views from civil service staff unions/associations on the new initiative. On the other hand, the Model Scale 1 Staff Consultative Council (Staff Side) was of the view that the consultation period of the new initiative was sufficient and hoped that the new initiative would be implemented as soon as possible.

5. Noting that the new initiative would allow eligible civil servants to choose to retire at 65 (for civilian grades) or 60 (for disciplined services grades) on a voluntary basis, Mr HO Kai-ming, Mr SHIU Ka-fai, Dr Elizabeth QUAT, Mr Jimmy NG, Ms YUNG Hoi-yan, Mr Tony TSE and Mr KWOK Wai-keung shared similar views that the consultation period of more than two months was sufficient for civil servants to submit their views to the Administration and the deadline of the consultation should not be extended as many eligible civil servants hoped to see the early implementation of the new initiative.

6. Mr Jimmy NG, Ms YUNG Hoi-yan, Mr Tony TSE and Mr KWOK Wai-keung further said that they did not support holding of a public hearing by the Panel on the matter at this stage in order not to delay the implementation of the new initiative. Dr Elizabeth QUAT said that the Panel might consider holding a public hearing on the matter only if it would not delay the implementation of the new initiative. Mr Tony TSE added that the Panel might consider inviting civil service staff unions/associations to submit written views to the Panel as an alternative way to gauge views on the new initiative.

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7. Both the Deputy Chairman and Mr Charles Peter MOK said that the Panel should accede to the request of holding a public hearing on the new initiative in order for members to gauge views from different civil service staff unions/associations on the new initiative, in particular on some eligible civil servants' concern about the changes in the contribution scale of provident fund. The Deputy Chairman further said that if a public hearing could not be held by 30 April 2018, then the Panel should invite civil service staff unions/associations to submit written views on the matter. As regards the decision of whether to extend the deadline of the consultation, the Deputy Chairman considered that it should be made by the Administration having regard to the number of submissions received.

8. Secretary for the Civil Service ("SCS") considered that the consultation period of more than two months was sufficient for civil service staff unions/associations and interested parties to put forward their views to the Administration. Referring to the submission from the Model Scale 1 Staff Consultative Council (Staff Side) to the Panel, SCS said he understood that many eligible civil servants were looking forward to the early implementation of the new initiative, so that more eligible civil servants who were approaching their retirement age could benefit from the new initiative.

9. Both Mr Jimmy NG and Mr Tony TSE asked whether the Administration would forward the views received during the consultation period to members. SCS replied that so far, the Administration received around 200 submissions on the new initiative. However, they would not be forwarded to other parties without the consent of the senders. He noted the suggestions of some members that the Panel could consider inviting relevant parties to submit their views to the Panel.

10. The Chairman concluded that if a public hearing could not be held before 30 April 2018 to gauge views from civil service staff unions/associations, the Panel would invite them and the public to submit written views on the new initiative.

(Post-meeting note: The Panel subsequently invited civil service staff unions/associations to submit written views on the new initiative. The circular was issued to members on 18 April 2018 vide LC Paper No. CB(4)934/17-18. A notice inviting views from the public was also posted on the Legislative Council ("LegCo") Website and a total of 19 submissions were received.)

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III. Date of next meeting and items for discussion

(LC Paper No. CB(4)875/17-18(01) -- List of outstanding items for discussion

LC Paper No. CB(4)875/17-18(02) -- List of follow-up actions)

11. Members agreed that the next regular Panel meeting would be held on 21 May 2018 to discuss the following items proposed by the Administration:

- (a) An overview of the civil service establishment, strength, retirement, resignation, age profile and gender profile; and
- (b) An overview of training and development for civil servants.

IV. Implementation of Five-day Week in the Government

(LC Paper No. CB(4)875/17-18(03) -- Administration's paper on implementation of five-day week in the Government)

LC Paper No. CB(4)875/17-18(04) -- Paper on implementation of five-day week in the government prepared by the Legislative Council Secretariat (updated background brief))

12. At the invitation of the Chairman, SCS briefed members on the progress made in implementing five-day week ("FDW") in the Government, details of which were set out in the Administration's paper (LC Paper No. CB(4)875/17-18(03)).

Implementation progress in bureaux/departments

13. Mr HO Kai-ming said that to his understanding, civil servants of the Sham Shui Po Sports Ground could not shift to FDW because the Leisure and Cultural Services Department ("LCSD") had failed to fill a vacant permanent post in the venue. The post had been left vacant for

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some six to seven years until recently after he had liaised with LCSD. He asked whether the Civil Service Bureau ("CSB") had examined the underlying reasons in hindering bureaux/departments ("B/Ds") to implement the FDW initiative and solicited views from frontline staff on how to address any obstacles to FDW.

14. SCS advised that individual B/Ds' implementation of FDW was subject to whether they could comply with the four basic principles ("the four principles"), i.e. no additional staffing resources, no reduction in the conditioned hours of service of individual staff, no reduction in emergency services and continued provision of some essential counter services on Saturdays/Sundays. CSB had been communicating with B/Ds to explore, in consultation with civil service unions/associations, migrating more staff to FDW where feasible. He had also been visiting B/Ds to gauge views from both the departmental management and the staff side on the issue. As stated in the Administration's paper, 270 civil servants were undergoing/would undergo FDW trials, including eight staff of LCSD in So Kon Po Recreation Ground. The staff of tree teams and some parks/venues/facilities under LCSD were also working on a FDW pattern. He thus believed that the manpower issue of the Sham Shui Po Sports Ground was a single isolated incident.

15. Noting from the Administration's paper that 23 departments had not fully implemented FDW as at 30 September 2016 and 10 correctional institutions under the Correctional Services Department ("CSD") were implementing FDW trials, Ms YUNG Hoi-yan sought more details from the Administration.

16. SCS elaborated that the 23 departments consisted of 18 civilian departments and five disciplined services departments. Among the 18 civilian departments, LCSD, the Government Logistics Department, the Food and Environmental Hygiene Department and the Hongkong Post had relatively low implementation rates of FDW as compared with the other departments which had migrated around 80% to 90% of their staff to FDW. As for the five disciplined services departments, CSD and the Fire Services Department ("FSD") had 13.9% and 96.8% of their staff of the disciplined services grades respectively working on a FDW pattern, whereas on average around 50% of disciplined services grade staff in the Hong Kong Police Force, the Customs and Excise Department and the Immigration Department were working on a FDW pattern. He further stated that the FDW trial schemes in the 10 correctional institutions commenced at different time from February to October 2017. As participation in these schemes was on a voluntary basis, the number of participants in each correctional institution was different. Taking into

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account the experience gained from the above FDW trials, CSD would consider extending the arrangement to other correctional institutions where appropriate.

17. Whilst appreciating the benefits of FDW to civil servants, Dr Elizabeth QUAT expressed concern that many disciplined services staff could not work on a FDW pattern and the implementation rate in CSD was as low as 13.9%. She enquired whether the Administration could, based on the service nature, operation modes and resources of different discipline services departments, adopt a flexible timetable to migrate all of CSD's staff to FDW. Ms YUNG Hoi-yan added that at a recent visit to the Pak Sha Wan Correctional Institution conducted by the Panel on Security, she was told that there was serious manpower wastage. She therefore urged the Administration to improve the benefits and remuneration packages of CSD staff to retain talents.

18. SCS explained that whether individual civil servants could work on a FDW pattern depended on the operational and service needs of their respective departments and positions. As many disciplined services departments were required to provide round-the-clock services, it would be difficult to migrate all of their staff to FDW. Having regard to the need of providing 24-hour operation for the correctional institutions, CSD had to deploy staff to perform duties on a non-FDW basis. Notwithstanding this, the implementation rates of FDW in FSD and the Government Flying Service were over 90% and 100% respectively.

19. The Deputy Chairman questioned the relationship between round-the-clock services and the implementation of FDW. He queried whether arranging civil servants to work on different FDW patterns (i.e. "Monday-to-Friday" basis, a "five-day-on, two-day-off roster in every seven days" and "fewer than five days/shifts in every seven days") could provide departments/teams operating round-the-clock with more flexibility to migrate more staff to FDW.

20. SCS advised that substantial manpower resources would be required to maintain round-the-clock public services with staff working under a FDW pattern. Providing additional staffing resources for implementation of FDW would violate one of the four principles and the Administration considered it difficult to gain public support for spending additional resources on implementing FDW without improving the quality of public services.

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Biennial surveys

21. Given that B/Ds might encounter technical difficulties such as roster and manpower arrangements when implementing FDW, Mr HO Kai-ming urged CSB to directly consult frontline civil servants who were working on non-FDW pattern to have a better understanding of the practical difficulties encountered by B/Ds in implementing FDW. He was also of the view that the staff might be able to provide useful and innovative solutions for migration to a FDW pattern as they were more knowledgeable of the daily operation of B/Ds.

22. Mr Tony TSE declared that he was a member of the Standing Commission on Civil Service Salaries and Conditions of Service. From his contact with the civil service unions/associations, their proposals on FDW had been tried out successfully in some trial schemes under the four principles. As such, he suggested that the Administration regularly collected civil servants' views and expanded the scope of the biennial surveys. He also considered that the Administration should encourage Heads of Departments to identify room to migrate more staff to FDW.

23. SCS welcomed members' suggestions to allow more civil servants to work on a FDW pattern. He advised that biennial surveys were conducted to monitor the implementation progress of FDW in B/Ds. The next survey would be conducted in the third quarter of 2018 to capture the position of the implementation of FDW as at 30 September 2018. The Administration would consider identifying the underlying reasons for B/Ds not being able to fully implement the FDW initiative through the surveys. The result of the survey would be reported to the Panel in 2019. He also assured members that CSB would continue to liaise with the management and staff of B/Ds which had not yet fully implemented FDW with a view to exploring feasible measures to migrate more civil servants to FDW.

Timetable of full implementation of FDW

24. Noting that FDW had been implemented since 2006, Mr Tony TSE asked whether the Administration had any plan to promote FDW for those civil servants who had yet been able to work on a FDW pattern. Dr Elizabeth QUAT also enquired whilst more than 110 000 civil servants (73% of the civil service strength) were working on a FDW pattern, whether the Administration had set a timeline to migrate the remaining civil servants to FDW.

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25. SCS reiterated that with a view to safeguarding the level of public services and adhering to the four principles, it was unavoidable that some civil servants might not be able to migrate to a FDW work pattern. Setting a timeline for all B/Ds to fully implement FDW would be impractical.

26. Mr KWOK Wai-keung remarked that as compared with civil servants who worked on a FDW pattern, those who worked on a non-FDW pattern had an extra work day, and the latter were put at a disadvantaged position as they had to bear extra expenses, such as cost of travelling to and from the workplaces on the extra work days. He opined that if it was confirmed impracticable to fully implement FDW in the Government, the Administration should consider adjusting the remuneration packages of those civil servants who worked on a non-FDW pattern as compensation.

27. SCS disagreed with Mr KWOK Wai-keung's views and clarified that the remuneration packages of civil servants were not determined based on their work pattern. He emphasized that FDW was a family-friendly policy adopted by the Administration instead of a condition of service.

Review on the four principles

28. As B/Ds must abide by the four principles when implementing FDW, Mr KWOK Wai-keung enquired about the number of civil servants who worked on a non-FDW pattern with a breakdown by the four principles and B/Ds. SCS replied that such statistics were not compiled and the Government would consider gathering the relevant information in the next biennial survey and report to the Panel.

29. Mr KWOK Wai-keung considered that more civil servants could benefit from FDW if the two basic principles relating to no additional staff resources and no reduction of conditioned hours could be modified, and the crux of the problem was the lack of manpower resources. In order not to hinder the implementation of this family-friendly initiative, he called on the Administration to review the four principles. Noting from the 2018-2019 Budget that the staffing resources of B/Ds would be increased, the Deputy Chairman asked whether the Administration could achieve a higher implementation rate of FDW in the Government with the additional manpower.

30. SCS advised that in 2018-2019, the civil service establishment was expected to have a year-on-year increase of about 3.7% (i.e.

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expanded by 6 700 posts) to improve the services of the Government and support the implementation of new policies/measures. He believed that the increase in manpower resources should provide B/Ds with more flexibility in staff deployment to migrate more civil servants to FDW. However, he emphasized that whether FDW could be fully implemented would be determined by a basket of factors, such as the staffing resources and workload of B/Ds as well as the alternative means for service delivery.

31. Given that the public had generally adapted to the FDW arrangement, Dr Elizabeth QUAT cast doubt on the necessity to abide by the principle of "continued provision of essential counter services on Saturdays/Sundays", in particular that some counter services could be replaced by electronic means.

32. SCS advised that B/Ds were encouraged to take appropriate measures to further promote FDW. For example, the Quality Migrants and Mainland Residents Section at the Immigration Department Headquarters had extended its working hours on weekdays and ceased its counter service on Saturdays. Applications could also be submitted to the Section by post or through the departmental drop-in boxes. However, he stressed that some essential counter services had to be maintained on Saturdays or Sundays.

Leave deduction arrangement and overtime compensation

33. Dr Elizabeth QUAT pointed out that some staff of disciplinary services grades working on a non-FDW pattern had expressed concern about the unfair treatment in the calculation of their leave entitlements. When these staff took one week's leave, six days' leave would be deducted from the balance as compared with a deduction of five days for their counterparts who worked on a FDW pattern. She requested the Administration to review the leave deduction arrangement in this regard.

34. Dr Pierre CHAN said that to his understanding, civil servants working in the Department of Health ("DH") on a non-FDW pattern and applying for two-calendar-week vacation leave would have their leave balance deducted by 11 days instead of 10 days for those who worked on a FDW pattern, which led to the situation of "different annual leave benefit for the same job". He said that the Hospital Authority ("HA") was successful in aligning the leave deduction policy between FDW and non-FDW work pattern staff through administrative measures. Under a new arrangement, five days would be deducted when HA staff applied for one-calendar-week vacation leave. He suggested the Administration

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allow all DH staff to enjoy the same vacation benefit by making reference to HA's experience and report any development to the Panel in the next session.

35. SCS responded that the Hong Kong Police Force had, since December 2015, implemented a pilot scheme in phases to revise on a trial basis the leave deduction arrangement for vacation leave taken by non-FDW officers on a 14-day duty cycle. Specifically, 10 days of leave would be deducted for vacation leave of two calendar weeks, subject to conditions being met. In the meantime, DH was also studying the feasibility of revising its leave deduction arrangement for non-FDW civil servants working in HA. The Administration would closely communicate with DH with a view to providing necessary assistance to the department for working out a feasible proposal as soon as practicable.

36. The Deputy Chairman observed that it was common for some civil servants, in particular those in the Executive Officer grade, to work beyond conditioned hours so as to cope with their heavy workload. While B/Ds had not used overtime work as a justification to increase their manpower, most of the overtime work of civil servants were not compensated. This had defeated the objectives of FDW of enhancing the quality of civil servants' family life and promoting work life balance.

37. SCS said that in general, overtime work performed by civil servants would be compensated by time off in lieu ("TOIL"). In response to Ms YUNG Hoi-yan's enquiry about the granting of TOIL, SCS clarified that the TOIL granted to civil servants would not be deducted from their non-working days under FDW.

V. Grade Structure Review for Marine Officer and Surveyor of Ships grades

(File Ref.: CSBCR/PG/4-085-001/59-1 <i>(issued by Civil Service Bureau on 13 February 2018)</i>	-- Legislative Brief	Council
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LC Paper No. CB(4)875/17-18(05)	-- Paper on grade structure review for Marine Officer and Surveyor of Ships grades prepared by the Legislative Council Secretariat
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(background brief)

LC Paper No. CB(4)394/17-18(01) -- Submission from the Hong Kong Marine Department Local Professional Officers' Association (English version only)

LC Paper No. CB(4)394/17-18(02) -- Submission from the Marine Officers Association (English version only))

38. The Chairman reminded members that, in accordance with Rule 83A of the Rules of Procedure of the Legislative Council, they should disclose the nature of any direct or indirect pecuniary interests relating to the subject under discussion at the meeting before they spoke on the subject.

39. At the invitation of the Chairman, Deputy Secretary for the Civil Service 2 ("DSCS2") advised that the Chief Executive-in-Council decided on 13 February 2018 that the recommendations of the Grade Structure Review ("GSR") for Marine Officer ("MO") and Surveyor of Ships ("SoS") grades of the Marine Department ("the recommendations") in Report No. 57 of the Standing Commission on Civil Service Salaries and Conditions of Service ("the Commission") should be accepted in full. DSCS2 and Director of Marine went on to elaborate on the recommendations, details of which were set out in the LegCo Brief issued by CSB on 13 February 2018 ("the LegCo Brief").

40. DSCS2 further said that subject to the views of members, the endorsement of the Establishment Subcommittee ("ESC") and the approval of the Finance Committee ("FC") would be sought. Subject to the approval of LegCo, the pay-related recommendations should be implemented with effect from the first day of the month immediately following the month of approval by LegCo or 1 August 2018, whichever was the later.

41. Mr Tony TSE declared that he was a member of the Commission and a member of the dedicated Working Group established by the Commission to conduct the GSR. While he was not in a position to comment on the recommendations, he called on all LegCo Members to

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approve the recommendations expeditiously in view of the acute manpower shortage problem of the MO and SoS grades.

Conduct of GSR

42. Noting two staff associations' support for the recommendations, Mrs Regina IP expressed the support on behalf of the New People's Party for the recommendations.

43. In reply to Mrs Regina IP's enquiry about the time taken for the Administration to conduct the GSR for tackling the manpower shortage problem of the MO and SoS grades, DSCS2 advised that the Government invited the Commission to conduct the GSR in December 2016, and the Commission submitted its report to the Government in October 2017. The Administration then sought the views of the management of Marine Department and the staff side of the MO and SoS grades on the recommendations, and the approval of Chief Executive-in-Council. Subject to the approval of LegCo, the Administration would take forward the recommendations expeditiously.

44. Mrs Regina IP said that the manpower shortage problem of the two grades had existed for a long time and urged the Administration to implement the recommendations as soon as possible and speed up the conduct of GSR in the future to better respond to the changing community needs.

45. DSCS2 explained that after the introduction of the Improved Civil Service Pay Adjustment Mechanism ("Improved Mechanism") in 2007, civil service pay was compared with private sector pay on a regular basis through three separate surveys. If an individual civil service grade was facing recruitment and retention difficulties that could not be resolved through the regular pay surveys under the Improved Mechanism, the Administration would consider conducting a GSR for that grade with a view to resolving the recruitment and retention difficulties.

Use of meeting time

46. The Deputy Chairman expressed support for the recommendations on behalf of the Civic Party. Given that the Administration had already briefed members on the findings and recommendations of the GSR for the MO and SoS grades at the Panel meeting on 22 December 2017, the Deputy Chairman asked whether the LegCo Brief contained new information which warranted members' attention.

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47. In reply, DSCS2 advised that in addition to the findings and recommendations of GSR for the MO and SoS grades, the Administration had set out in the LegCo Brief the Chief Executive-in-Council's decision, the Government's views and the financial implication of the recommendations for members' information before submitting the item to ESC and FC.

48. The Deputy Chairman said that members had already expressed support for the recommendations when the Administration briefed members on the matter at the meeting in December 2017 and the Chief Executive-in-Council had subsequently accepted the recommendations in full. As such, to ensure the efficient use of precious meeting time, it might not be necessary for the Administration to brief members again on the matter at a Panel meeting, as only two items were scheduled for each meeting. DSCS2 noted the view of the Deputy Chairman.

Conclusion

49. The Chairman concluded that members supported the recommendations and hoped that ESC and FC would endorse and approve the recommendations respectively as soon as possible.

VI. Any other business

50. There being no other business, the meeting ended at 12:05 pm.

Council Business Division 4
Legislative Council Secretariat
7 June 2018