

1998年11月18日(星期三)
立法會會議席上
陳榮燦議員就“修訂法例以規管減薪事宜”提出的議案

議案措辭

“鑑於近期不斷有私人機構以減低成本為理由，削減僱員的薪酬及福利，本會促請政府：

- (一) 從速修訂《僱傭條例》，藉以確保在僱主更改僱傭條件時僱員得到充分時間考慮，並規定僱主須向僱員承諾在公司渡過難關後，將僱員的薪酬及福利還原至原有水平；如遇遣散或裁員的情況，應以僱員減薪前的原有工資計算其遣散費及長期服務金；及
- (二) 修訂《破產欠薪保障條例》，規定以僱員現時的工資或減薪前的工資較高者為計算特惠款項基準。”

(Translation)

**Motion on "Amending legislation to regulate wage reductions"
to be moved by Hon CHAN Wing-chan
at the Legislative Council meeting on Wednesday, 18 November 1998**

Wording of the Motion

"That, in view of the successive cases of private companies reducing their employees' wages and benefits on the grounds of cutting costs, this Council urges the Government to:

- (i) expeditiously amend the Employment Ordinance, with a view to ensuring that employees will be given sufficient time to consider the changes in the conditions of employment initiated by employers, and stipulating that employers must give an undertaking to revert their employees' wages and benefits to the original levels after the companies have tided over the period of difficulties; and in circumstances where employees have to be laid off or made

redundant, their severance payments and long service payments should be calculated on the basis of their original wages before reduction; and

- (ii) amend the Protection of Wages on Insolvency Ordinance to stipulate that ex gratia payments should be calculated on the basis of the employees' existing wages or their wages before reduction, whichever is higher."