

立法會

Legislative Council

LC Paper No. CB(2) 951/99-00

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by the Administration)

Ref : CB2/PL/MP/1

LegCo Panel on Manpower

**Minutes of meeting
held on Thursday, 25 November 1999 at 2:30 pm
in the Chamber of the Legislative Council Building**

Members present	:	Hon LAU Chin-shek, JP (Chairman) Hon LEE Kai-ming, SBS, JP (Deputy Chairman) Hon Kenneth TING Woo-shou, JP Hon James TIEN Pei-chun, JP Hon David CHU Yu-lin Hon HO Sai-chu, SBS, JP Hon Cyd HO Sau-lan Hon LEE Cheuk-yan Hon CHAN Kwok-keung Hon CHAN Yuen-han Hon CHAN Wing-chan Hon SIN Chung-kai Hon Andrew CHENG Kar-foo Hon SZETO Wah
Member attending	:	Hon NG Leung-sing
Members absent	:	Hon Michael HO Mun-ka Dr Hon LUI Ming-wah, JP Hon Ronald ARCELLI, JP Hon CHAN Kam-lam Dr Hon LEONG Che-hung, JP Hon LEUNG Yiu-chung Hon YEUNG Yiu-chung

Public Officers : Item III
attending

Mr Philip K F CHOK, JP
Deputy Secretary for Education and Manpower

Miss Erica NG
Principal Assistant Secretary for Education
and Manpower

Mr Ivan LEE
Principal Assistant Secretary for Education
and Manpower

Mr Joe WONG
Assistant Commissioner for Tourism
Economic Services Bureau

Miss Glenda CHAN
Principal Economist
Economic Analysis Division
Financial Services Bureau

Item IV

Mr Philip K F CHOK, JP
Deputy Secretary for Education and Manpower

Mr Ivan LEE
Principal Assistant Secretary for Education
and Manpower

Dr L H LEES
Deputy Executive Director (Academic)
Vocational Training Council

Mr Stephen AU
Chief System Manager
Vocational Training Council

Item V

Mr Herman CHO
Principal Assistant Secretary for Education
and Manpower

Mr William SIU

Deputy Commissioner for Labour
(Occupational Safety and Health) (Acting)

Item VI

Mr Herman CHO
Principal Assistant Secretary for Education
and Manpower

Mr William SIU
Deputy Commissioner for Labour
(Occupational Safety and Health) (Acting)

Dr Raymond LEUNG
Occupational Health Consultant
Labour Department

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2)1

Staff in attendance : Mr Raymond LAM
Senior Assistant Secretary (2) 5

Action

I. Matters arising
(LC Paper No. CB(2) 390/99-00 (01))

Members noted the list of follow-up actions required of the Administration.

II. Date of next meeting and items for discussion
(LC Paper No. CB(2) 390/99-00(02))

2. Members agreed to re-schedule the next meeting for 21 December 1999 at 10:45 am to discuss the following items -

- (a) Review on the applicability of the Employment Ordinance to live-in domestic helpers;

Action

- (b) Review on the provisions of sickness allowance under the Employment Ordinance;
 - (c) Review on the provisions on lay-off under the Employment Ordinance; and
 - (d) Occupational Safety and Health (Personal Protective Equipment) Regulation.
3. On item (a), the Chairman informed members that the Hong Kong Employers of Overseas Domestic Helpers Association (the Association) had requested to attend the meeting to present their views before members. Mr SIN Chung-kai suggested that the Association be initially asked to provide the Panel with a written submission. The Association would be invited to attend the meeting if members so decided after studying the written submission. Members agreed to the suggestion. The Chairman suggested and members agreed that such an arrangement would apply to similar requests from deputations in the future.
4. In view of members' concern that there might be insufficient time to discuss all the items, Deputy Secretary for Education and Manpower (DSEM) undertook to examine whether discussion of item (d) could be deferred until a later meeting.

(Post-meeting note : The Administration subsequently advised that discussion of item (d) could be deferred.)

III. Hong Kong Disneyland - employment opportunities
(LC Paper No. CB(2) 390/99-00 (03))

5. At the invitation of the Chairman, Assistant Commissioner for Tourism (AC for T) highlighted the salient points of the paper provided by the Administration.

Job opportunities arising from the construction and operation of the theme park

6. On the estimation of the broad distribution of employment arising directly and indirectly from the theme park operation, AC for T said that the estimated number of jobs in paragraph 6 of the Administration's paper were accumulated totals as at the time of Phase I build-out.

7. On the construction-related employment likely to be created during the land formation and construction of Phase I of the theme park, Mr Andrew CHENG considered that the estimated total number of man-years should be converted into number of jobs. He said that the detailed breakdown by job category should also be provided to members as soon as possible. The Chairman added that the Administration should provide information on the number of permanent and temporary

Action

Adm

jobs arising from Phase I construction of Hong Kong Disneyland (HKD) and their breakdown in respect of trades. DSEM responded that the Education and Manpower Bureau (EMB) had liaised with the Works Bureau (WB) for such information. The latter had advised that the requested information should be available in early 2000. He undertook to provide the information to members once available. The Chairman said that Members of the Finance Committee might take the number of jobs into consideration in deciding whether to support the funding proposal for HKD. He requested the Administration to provide the information to the Panel as soon as possible.

Adm

8. In response to Mr CHAN Wing-chan, Principal Economist (PE) said that catering workers were included under the occupational category of service workers. Mr CHAN Wing-chan requested the Administration to provide a breakdown of the service workers required for Phase I operation of the theme park, and the proportion of catering workers in the total number of service workers in other Disneylands.

9. In response to the Chairman, PE said that all the estimated jobs in paragraph 6 of the Administration's paper were full-time and permanent jobs.

10. Mr LEE Cheuk-yan commented that the creation of 17 000 jobs with an investment of \$22 billion meant that each job would have a high average cost of about \$1.5 million. AC for T responded that as the jobs created would all be permanent jobs, such an interpretation might be inappropriate.

Adm

11. Mr LEE Cheuk-yan expressed concern about whether all the jobs created would be filled by local workers and whether labour would be imported to fill the job vacancies. Miss CHAN Yuen-han also asked about the manpower requirements for Phase I construction of the theme park and whether importation of labour would be required. AC for T assured members that apart from the top management positions which were expect to be some 40 strong, all the employees of the theme park would be recruited locally. DSEM added that the Secretary for Works had stated at the special House Committee meeting on 3 November 1999 that there would be no shortage of construction site workers to meet the manpower requirements arising from the construction of HKD and associated infrastructure facilities. The Administration would monitor the situation closely and liaise with the Construction Industry Training Authority to provide sufficient training places if a shortage of workers in a particular trade was identified. Miss CHAN Yuen-han requested the Administration to provide information on the manpower requirement for each trade, especially at the middle and final stage of Phase I construction of the theme park.

Recruitment and training of staff

12. Mr LEE Cheuk-yan asked about the commencement time for the recruitment and training of employees for the theme park. He considered that the manpower needs of the theme park should be identified early so that there would be sufficient time to train up local workers to fill up the vacancies. AC for T responded that employees at

Action

management level would be recruited two to three years before the opening of the theme park. Employees at middle or lower levels would probably be recruited one year or a few months before the opening of the theme park. The Chairman asked if the Administration had more detailed information on the timing for recruitment and training of employees for Phase I operation of the theme park.

13. AC for T said that the details of training and recruitment would have to be determined by the joint venture company to be formed by the Hong Kong Special Administrative Region Government and Walt Disney (WD). In the Disneylands of other places, training was usually provided after staff were recruited. To his knowledge, WD had made preliminary contacts with the Vocational Training Council (VTC) and the Employees Retraining Board to explore their training capabilities.

14. Miss CHAN Yuen-han asked whether the training to be provided by the Disney University would be tailored to the needs of Hong Kong. AC for T said that the Disney University was also found in Disneylands of other places. Its unique mission, which was very different from those of other training institutes, was to provide training for employees of the theme park. At Miss CHAN's request, he agreed to provide more information on the Disney University.

Adm

Future expansion of the theme park

15. Referring to the Administration's statement that the joint venture company, Hong Kong International Theme Parks Limited, would proceed with Phase II development of the theme park if Phase I of the project was successful, Miss Cyd HO asked what performance would be regarded as successful. AC for T said that Phase I of the project would be regarded as successful if the Base Case forecast of performance and financial projections was achieved.

IV. Vocational Training Council - enhancement of information technology infrastructure and services

(LC Paper No. CB(2) 390/99-00(06))

16. At the invitation of the Chairman, Chief System Manager of Vocational Training Council (CSM/VTC) presented the paper provided by VTC.

17. In response to Mr Kenneth TING, CSM/VTC said that the 17 000 additional Internet accounts to be established would be provided free of charge to full-time students at technician level and above.

Queries raised by Director of Audit about VTC

18. Miss CHAN Yuen-han said that while she was not opposed to the enhancement

Action

of information technology infrastructure to facilitate the learning of students, she was concerned about the queries recently raised by the Director of Audit (D of A) about VTC. She questioned why an additional financial provision of \$178 million was needed despite an annual financial provision of about \$2 billion to VTC. She stressed that EMB had a responsibility to monitor the expenditure of VTC.

19. DSEM said that to his knowledge, representatives of VTC would attend a meeting of the Public Accounts Committee in December 1999 to answer the queries raised by D of A. The queries were related to issues that had developed over a long period of time. He hoped that members would examine the proposal, which was independent of the issues raised by D of A, on the basis of whether the proposal was justified itself. He said that VTC was monitored by its Council, in which there were representatives of the Administration. As the annual financial provision had been committed for other uses, additional funds would be needed for implementation of the proposal. Deputy Executive Director (Academic) of Vocational Training Council (DED/VTC) added that the annual financial provision of about \$ 2 billion had been committed for expenditures like staff salary, machinery and equipment. There was no provision left for implementation of the proposal. Miss CHAN Yuen-han considered that as the Council of VTC only convened four meetings in a year, it could not effectively monitor VTC's operation.

Impact of the proposal on teaching staff

20. Miss Cyd HO asked whether the video-conferencing facilities to be installed would result in a reduction in the number of teaching staff in VTC. She also asked whether there would be any change in the role of teachers under the proposal. She expressed concern that problems might arise if students had no opportunity to receive counselling. DED/VTC responded that VTC had no intention to reduce the number of teaching staff. The proposed method of teaching through electronic means, which was more student-oriented, would only complement rather than replace the existing method of teaching. They would facilitate the conducting of more demonstrations to students and reduce students' needs to take notes. Students of VTC mainly came from secondary schools, in which 25% of the curriculum would be delivered via electronic means. The use of video-conferencing facilities would permit one lecturer to address more than one class at one time. Enhanced information technology (IT) services would facilitate the development of a culture for life-long learning. Teachers would play a more important role under the proposal. Lecturers would have to prepare teaching materials in a much different manner. Students would be able to retrieve course information, lecture notes and assignments from the computer without necessarily going to the lecture room. They could retrieve such information at home or from any workstation in VTC. They could contact lecturers by electronic mail and access reference materials by electronic means instead of going to the library. All these would facilitate students to learn at their own pace. Miss Cyd HO stressed that traditional lecture should not be reduced with the strengthening of electronic communication.

Cost of personal computers

21. Mr LEE Cheuk-yan said that the total cost of \$20,637,000 for 1 200 personal computers meant that each computer would cost about \$18,000, which was relatively very expensive. CSM/VTC said that the estimated expenditure was necessary for meeting the cost of network cards, printers, as well as the hardware and software of personal computers, some of which would be portable computers.

Existing IT facilities in VTC

22. On the quantity and type of existing personal computers in VTC, CSM/VTC said that there were about 4 000 personal computers, majority of which were Pentium PCs including some Pentium III types, and a small amount of 80486 models. In addition, there were servers for VTC's Management Information System (MIS) and Internet system.

23. Mr SIN Chung-kai asked how the IT facilities in VTC compared with those of local universities and secondary schools, and the improvement expected after the proposal was implemented. He said that if the IT facilities of VTC were not even comparable to those of secondary schools, implementation of the proposal should not be stretched over a period of three to four years. DED/VTC said that to his knowledge, IT facilities in VTC only amounted to about 60% of the IT facilities provided by local universities, and the annual expenditure on IT facilities for universities was in the region of about \$170 million. Mr SIN requested the Administration to provide information in this respect in the funding proposal to the Finance Committee.

Adm

Provision of Internet accounts and IT training for students below technician level

24. Referring to paragraph 6(b) of the paper, Mr LEE Cheuk-yan questioned why only full-time students at technician level and above would be provided with a free Internet account. He asked whether students below technician level would be provided training in IT. Mr SIN Chung-kai added that workers at junior level should also be equipped with skills in computer operation. DED/VTC responded that free Internet accounts would only be provided to full-time students at technician level and above. Providing Internet accounts to all students would require three times the number of Internet accounts being requested, which would incur substantially higher costs. Although students below technician level would not be provided with free Internet accounts, they could still access the Internet through the IT facilities in VTC. The objective of training for students below technician level was to equip them with practical skills for working in relevant industries. Nevertheless, IT training would be included in the curriculum of courses for these students. He assured members that training in computer operation would be offered under all programmes of VTC. Mr LEE Cheuk-yan said that many companies were offering free Internet accounts. VTC could consider providing such free accounts to its students.

Role of VTC in the education system of Hong Kong

25. Mr LEE Cheuk-yan expressed concern that VTC was trying to emulate into a tertiary institution and neglecting the training needs of Secondary 3 school leavers. DED/VTC assured members that VTC had no intention to emulate into a tertiary institution.

26. As regards the education provided by VTC for Secondary 3 school leavers, Miss CHAN Yuen-han expressed concern that VTC was shifting its emphasis towards training in language skills and generic skills. This might overlap with the formal education provided in secondary schools and result in a waste of resources. She considered that VTC should explain its role in the education system of Hong Kong before the proposal was considered. She requested the Administration to provide information on the overlapping of education provided by VTC and secondary schools, as well as the proportion of Secondary 5 and Secondary 3 school leavers taking VTC courses.

Adm

General comments on the proposal

27. Mr SIN Chung-kai said that computer operation was no longer a high technology skill. He hoped that students at Secondary 3 level would not be deprived of the opportunity to acquire skills in computer operation merely because of the mismanagement of VTC. DED/VTC fully supported Mr SIN's view that all students should be given the opportunity to acquire skills in computer operation. He added that VTC had tried to update its computer system since a few years ago.

28. Mr James TIEN said that the Liberal Party had always supported strengthening IT education for students. However, the Party would not decide whether to support the proposal until VTC had responded to the queries raised by D of A and explained its use of an annual financial provision of about \$2 billion.

29. Miss CHAN Yuen-han said that in the absence of a clear explanation on the use of VTC's annual expenditure and its role in the education system of Hong Kong, the Hong Kong Federation of Trade Unions (HKFTU) had reservation about the funding for the proposal. This did not mean that HKFTU was not in support of the proposal.

30. Mr LEE Kai-ming said that while members were generally not opposed to the proposal, they considered that VTC should explain the use of its annual expenditure of about \$2 billion and its role in the education system of Hong Kong.

Other related issues

31. Mr LEE Cheuk-yan expressed concern about reports that an annual expenditure of \$ 2 million was being spent by VTC for the employment of a senior staff member in human resources. There were also much problems with the Apprenticeship Scheme. All these indicated that there were weaknesses in the resource allocation of VTC.

Action

DED/VTC said that the claim of an annual expenditure of \$2 million for the employment of a senior staff member was inaccurate. Nevertheless, a human resource manager was needed to oversee personnel matters for over 4 000 staff members of VTC.

32. Mr LEE Cheuk-yan enquired about the actions taken by VTC in response to the Panel's letter on the Apprenticeship Scheme. DSEM said that as the Council of VTC had not yet convened its regular meeting, VTC's response was still awaited. Mr LEE said that a decision on the proposal should be deferred until VTC had responded to the Panel's letter and its role in the education system was clarified.

33. Mr LEE Cheuk-yan asked whether the MIS enhancement as stated in paragraph 6 of the paper could be achieved manually. DED/VTC said that even without the proposed system, it would be possible but undesirable to perform the required tasks manually. He added that the projected saving of \$ 5,400,000 was mainly related to savings in costs for the employment of temporary clerical and supportive staff as well as overtime work.

V. Proposed amendments to the Factories and Industrial Undertakings Ordinance (FIUO) and its Regulations
(LC Paper No. CB(2) 390/99-00(04))

34. Members noted that under FIUO, a proprietor of a notifiable workplace must notify the Commissioner for Labour (C for L) of the particulars of the workplace before any industrial process or operation commenced.

35. While supporting in principle the proposed amendments to FIUO and its Regulations, Mr Andrew CHENG questioned why the average time taken for the Labour Department (LD) to become aware of the existence of a notifiable workplace was currently more than eight months. He expressed concern that with the proposed amendments, proprietors and contractors might be in breach of the notification requirement for a longer time.

36. Principal Assistant Secretary for Education and Manpower (PAS(EM)) responded that under the Magistrates Ordinance (Cap. 227), all summary offences under FIUO should be initiated within 6 months from the date of commencement of operation. However, the average time taken for LD to become aware of the existence of a notifiable workplace was currently more than eight months. By the time LD was made aware of their operation, it was already time-barred to prosecute against the proprietors and contractors. With the proposed amendments, the time bar of six months would not be counted from the date of commencement of operation, but from the date the workplace was discovered or known. The proposed amendments were intended to give the Administration more flexibility in initiating prosecution. It would not cause proprietors and contractors to be in breach of the notification requirement for a longer time.

37. PAS(EM) informed members that the Administration would step up publicity on the notification requirement. A two-month period would be allowed for factories and industrial undertakings which had not yet notified LD of their operations to comply with the notification requirement.

(*Post-meeting note* : Upon further consideration, the Administration now proposes to implement the amendments, if approved, with immediate effect.)

38. In response to Mr Andrew CHENG, Deputy Commissioner for Labour (Occupational Safety and Health) (Acting) (DC for L(Atg)) said that no change was proposed in respect of the penalty for failure to comply with the notification requirement.

39. Mr James TIEN expressed support for the proposed amendments. He cautioned that it might be difficult to determine the date of commencement of operation of a construction site. DC for L (Atg) explained that the amendment was aimed mainly at factories and industrial undertakings, not construction sites which could be discovered or came to LD's attention more easily.

VI. Briefing on Occupational Safety and Health (Display Screen Equipment) Regulation

(LC Paper No. CB(2) 390/99-00(05))

40. In response to Mr SIN Chung-kai, Occupational Health Consultant (OHC) said that an employer was required to perform a risk assessment of workstations. The assessment served to identify and evaluate the associated potential risks so that appropriate measures could be taken to safeguard the health of users. Adjustable chairs and display screen equipment (DSE) were elements of a suitable workstation. He added that guidelines on risk assessment would be issued by LD after the Occupational Safety and Health (Display Screen Equipment) Regulation (the Regulation) was made. Consultation on the draft compliance guidelines had been made with the relevant parties, including trade unions, employers' associations and professional bodies, which generally considered that the guidelines were appropriate. The Chairman requested the Administration to provide the guidelines to members as soon as possible.

41. Mr SIN Chung-kai considered that it would be very difficult for employers to conduct the risk assessment. DC for L (Atg) said that a sample checklist would be included in the guidelines to facilitate risk assessment.

42. In response to Mr Kenneth TING, OHC said that upon identifying any risks in an assessment, an employer should take steps to reduce the risks as far as practicable, such as by replacing unsuitable chairs or DSE with ones that met the general ergonomic requirements. He explained that the term "ergonomics" referred to the study of

Action

working conditions whereby people could perform their work most effectively.

43. Mr LEE Cheuk-yan consider that it was unfair for a fine of up to \$10,000 to be imposed on a user upon conviction for contravening the provisions of the Regulation. He hoped that the requirements would be practical and implementable. DC for L (Atg) said that detailed hardware requirements would be provided in the guidelines.

44. Mr LEE Cheuk-yan said that it might be difficult for employers to determine the rest time of employees. He expressed concern that no reference was made to the rest time of users. DC for L (Atg) responded that the issue of rest time was being studied by the Administration under a separate exercise. While it would not be difficult to specify the general rest-time requirements in the guidelines, it would be necessary to carry out a risk assessment before an appropriate rest-time be determined for individual situations. While consideration could be made to the experience in other countries, it should be noted that the need for rest time might vary from one person to another. Mr James TIEN considered that imposing a rigid rest time might restrict flexibility. He added that there were divided views in the Labour Advisory Board when the issue was recently considered.

45. Mr James TIEN hoped that the guidelines would be specific so that employers would know the type of chairs that would meet the requirements under the Regulation. OHC responded that hardware requirements would be laid down in the guidelines. Adjustable chairs and DSE would usually meet the requirements under the Regulation. Repositioning of DSE or using screen glare filters would reduce light reflected on display screens.

46. The Chairman considered that it might be difficult to determine whether an employee was habitually using DSE as a significant part of their normal work. He said that the issue might be further discussed when the Regulation was examined by the Legislative Council.

47. There being no other business, the meeting ended at 4:45 pm.

Legislative Council Secretariat

19 January 2000