

Construction Workers Registration Bill

Responses to the comments raised by members of the Bill Committee at the 2nd meeting

Member of Bills Committee	Comments/Suggestions	ETWB's Responses
Hon. Abraham SHEK	<ul style="list-style-type: none"> - Measures to be taken by Administration to address workers' concern about the difficulty in passing trade tests 	<ul style="list-style-type: none"> - The workers would mainly be tested on day-to-day work performed at construction sites. In fact, the trade tests for some of the trades were conducted at works sites. As such, it should not be difficult for an experienced worker to pass such tests. According to the trade test records of CITA, the average pass rate for trade tests of skilled workers of the building and civil engineering discipline is about 68% (the pass rate for semi-skilled worker of the discipline is about 81%). - Interested parties may contact CITA to arrange refresher training course to assist workers in passing the trade tests. - We understand that some relevant trade unions provide briefing sessions and mock tests for workers to prepare them for taking the trade tests.
Hon. LI Fung-ying	<ul style="list-style-type: none"> - Determination of the exemption requirement with reference to the prevailing practice in the industry for becoming a skilled worker 	<ul style="list-style-type: none"> - While some of the trade unions mentioned that workers with 5 to 6 years experience might acquire skill up to the level of a skilled worker, the skill level of such workers could not be ascertained in the absence of an objective assessment. Thus, the majority of the members of the Working Group on Registration of Construction Workers (Working Group) comprising representatives of employers associations and workers unions considered that a working experience of 10 years was necessary to give a reasonably degree of assurance of their skillfulness and craftsmanship. <p>The proposed exemption aims to pay respect to the senior workers for their contributions and long service to the construction industry, and to avoid the embarrassing situation where a senior worker may undergo trade test invigilated by his former apprentice. The Working Group held a number of discussions on the one-off transitional provision. The original qualifying period for exemption proposed by the trade associations was "15</p>

Member of Bills Committee	Comments/Suggestions	ETWB's Responses
		<p>years", but as a compromise with the unions, a relevant experience of "10 years" was finally agreed by the parties concerned as a minimum period to ensure safety of the workers themselves and the public, and the quality of works. As recorded in the minutes of the 6th Working Group meeting and expressed in a letter from the trade unions dated 16.3.2000 (please see Annex A1), the trade unions proposed that workers with 10-year experience and age over 40 be exempted from trade test.</p> <p>(Please see also our responses to item b of the HKCIEGU's submission.)</p>
<p>Hon. LEUNG Yiu-chung Hon. LEE Cheuk-yan</p>	<p>- Lack of a consensus view within the construction industry on the exemption requirement</p>	<p>- Please see also our above response to the Hon. LI Fung-ying's comments. The 10-year experience as an exemption criterion was a consensus view reached by members of the Working Group and Sub-group on Registration of Construction Workers at the conclusion of the deliberation on the issue. In fact, those union representatives who have recently expressed a different view also supported a 10-year experience and for age over 40, as expressed in their letter dated 16.3.2000 (Annex A1).</p>
<p>Hon. CHAN Kwok-keung (chairman) Hon. LEE Cheuk-yan</p>	<p>- Consideration of a lower exemption requirement</p> <p>- Administration to seek a consensus view within the construction industry on the exemption requirement.</p>	<p>- Please refer to our responses to the comment of the Hon. LI Fung-ying above and to the relevant comments raised by the trade unions.</p> <p>- Meetings would be arranged with the parties concerned to discuss the exemption requirement. Any further progress would be reported to the Bills Committee.</p>

香港建造業總工會

附件 A1
ANNEX A1

HONG KONG CONSTRUCTION INDUSTRY EMPLOYEES GENERAL UNION

九龍油麻地上海街 383 號華興商業中心 2 字樓
2/F., Wah Hing Comm. Ctr., 383 Shanghai St., Yaumatei, Kln.
電話：2388 6887 傳真：2385 5002

致：工務局
局長
李承仕太平紳士

強烈要求建造業內工齡 10 年及年齡四十歲以上 的工人豁免技能測試直接註冊為技工的信

敬啟者：

本會暨屬會從現實和前瞻的觀點出發，以反對輸入外地勞工，維護本地工人優先就業的立場作基礎，主張深入開發本地建造業勞工市場的同時，不斷提高工人的技術水平，肯定工人在社會上的專業地位，對進一步改善建築工地的安全環境，保障工程質量，是香港建造業發展的需要。政府擬推出建造業工人註冊制度，是達到這個目標的重要途徑之一。本會表示贊同。

與此同時，本會暨屬會很有必要再次著重反映業內工齡長且年長的工友，對政府擬推行的建造業工人註冊制度存在著不可逾越的心理障礙和抗拒的心態。事實上在未有技能測試和註冊制度之前，他們早已受顧於本港建造行業，用他們的雙手為建設有東方之珠美譽的香港不斷添磚加瓦，貢獻了自己的青春和技術，並獲得社會和僱主的認可。他們認為，最近政府擬在業內推出技能測試及工人註冊制度，沒有理由把他們過去在工地現場、久經考驗的技術操作置諸不理，反而強調他們必須通過技能測試後方能註冊的制度深表不滿。他們認為這個制度對他們不公平、不合理。

為此，本會暨屬會強烈要求：政府擬在建造業內推行技能測試及註冊制度時，切勿搞一刀切。應該以《老師傅條例》作參考藍本，讓業內工齡 10 年及年齡四十歲以上的工友豁免技能測試直接註冊為技工。事實上業內的安全主任註冊制度、電工註冊制度和最近的中醫師註冊制度都已有了先例。

本會暨屬會建議，在擬推行建造業工人註冊制度的時候，應以維護香港社會的繁榮穩定，節省社會資源為原則，以達至穩定業內工人隊伍，避免造成不必要的人為衝擊，方能調動業內各方面的積極性，減少阻力，共同推動社會進步。

以上建議及要求，盼政府有關部門及僱主慎思謹行。

耑此函達。待覆。順頌

鈞安！



香港建造業總工會 暨

港九坭水建築業職工會

港九木匠總工會

港九油漆業總工會

香港喉管從業員總會

港九搭棚同敬工會

香港建築模板業職工會

香港建造業測量、平水及工程管理人員協會

香港建造業扎鐵職工會

香港建造業機械操作及維修專業人員協會

港九打石建造業職工會

港九水泥混凝土工程業職工會

港九船塢碼頭做木總會

港九雕刻木器業職業工會

2000年3月16日

副本：抄送

勞工處處長張建宗太平紳士

立法會議員陳婉嫻小姐

立法會議員陳榮燦先生

立法會議員陳國強先生

立法會議員李啓明先生

勞工顧問委員會委員梁富華先生

勞工顧問委員會委員潘兆平先生

勞工顧問委員會委員張國標先生

勞工顧問委員會委員梁雪芳小姐

勞工顧問委員會委員梁籌庭先生

勞工顧問委員會委員張柏枝先生

香港建造商會會長謝禮良先生