

立法會
Legislative Council

LC Paper No. CB(2)1570/08-09
(These minutes have been seen
by the Administration)

Ref : CB2/PL/MP

Panel on Manpower

Minutes of meeting
held on Thursday, 16 April 2009, at 2:30 pm
in Conference Room A of the Legislative Council Building

- Members present** : Hon WONG Kwok-kin, BBS (Deputy Chairman)
Hon LEE Cheuk-yan
Hon Andrew CHENG Kar-foo
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, MH
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Kin-por, JP
Hon WONG Sing-chi
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP
Dr Hon PAN Pey-chyou
- Member attending** : Hon Miriam LAU Kin-yee, GBS, JP
- Members absent** : Hon LI Fung-ying, BBS, JP (Chairman)
Hon LEUNG Yiu-chung
Dr Hon LEUNG Ka-lau
- Public Officers attending** : Item III
Mr Matthew CHEUNG Kin-chung, GBS, JP
Secretary for Labour and Welfare

Mr Paul TANG Kwok-wai, JP
Permanent Secretary for Labour and Welfare

Mrs Cherry TSE LING Kit-ching, JP
Commissioner for Labour

Mr FONG Ngai
Assistant Commissioner for Labour (Policy Support and
Strategic Planning)

Miss Mabel LI Po-yi
Acting Chief Labour Officer (Statutory Minimum Wage)
Labour Department

Item IV

Mr Paul TANG Kwok-wai, JP
Permanent Secretary for Labour and Welfare

Ms Rebecca PUN Ting-ting, JP
Executive Director
Employees Retraining Board

Ms Karyn CHAN Ching-yuen
Principal Assistant Secretary for Labour and Welfare
(Manpower)

Clerk in attendance : Mr Raymond LAM
Chief Council Secretary (2) 1

Staff in attendance : Ms Clara TAM
Assistant Legal Adviser 9

Mrs Eleanor CHOW
Senior Council Secretary (2) 4

Miss Helen DIN
Legislative Assistant (2) 1

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I. Confirmation of minutes of previous meeting
(LC Paper No. CB(2)1273/08-09)

The minutes of the meeting held on 19 February 2009 were confirmed.

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II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1272/08-09(01) & (02))

Agenda items for the next meeting

2. Members agreed that the following items proposed by the Administration would be discussed at the next regular meeting to be held on 21 May 2009 at 2:30 pm -

- (a) A review of occupational diseases in Hong Kong in 2008; and
- (b) Collaboration between the Labour Department and the "Community Investment and Inclusion Fund" on the promotion of youth employment.

3. Mr WONG Kwok-hing suggested that the item in paragraph 2(a) above should be discussed in conjunction with the Administration's initiatives in promoting the prevention of heat stroke at work. Members agreed.

4. Mr LEE Cheuk-yan expressed concern that the illnesses of about 80% of the patients seeking consultation at the Occupational Health Clinics were not classified as occupational diseases, although such illnesses were caused by work. He urged the Administration to review the definition of occupational diseases. He also requested the Administration to include in its discussion paper the criteria for determining whether a disease was an occupational disease and measures to prevent occupational diseases.

5. Secretary for Labour and Welfare (SLW) responded that Hong Kong had followed international practices and would make reference to criteria adopted internationally in determining whether a disease should be prescribed as an occupational disease.

Agenda items for future meetings

6. Mr LEE Cheuk-yan said that the Financial Secretary had mentioned that additional relief measures would be introduced in mid-2009 if Hong Kong's economy deteriorated. He enquired about the timing for the Panel to discuss additional measures to tackle the problem of unemployment.

7. SLW said that the Administration was monitoring the economic situation and would assess in mid-2009 the need for additional relief measures. He could not confirm at this juncture the timetable to discuss any such measures, but would revert to the Panel in due course if any such measures were related to tackling the unemployment problem.

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8. Mr LEE Cheuk-yan recalled that the Panel passed a motion at its meeting on 21 January 2009 urging the Administration to remove the one-year subsidy duration of the Transport Support Scheme (TSS) for low-income workers who resided in the four remote districts. He enquired when the Administration would report to the Panel on the outcome of the review conducted on TSS. The Deputy Chairman and Mr WONG Kwok-hing expressed similar views.

9. SLW responded that the Labour Department (LD) had implemented a range of relaxation measures for TSS in July 2008. As the Administration needed time to gauge public views and analyze the statistics collected, the review on the relaxed TSS would be conducted in July 2009. At this stage, he could not confirm the timing for reverting to the Panel.

10. Mr LEE Cheuk-yan strongly urged the Administration to report on the outcome of the review to the Panel before the summer recess, given that the entitlement of some TSS recipients would have exhausted in July 2009. The Deputy Chairman and Mr WONG Kwok-hing supported his views. SLW responded that the Administration would try its best to do so.

III. Statutory minimum wage - Coverage of employees

(LC Paper Nos. CB(2)1272/08-09(03) & (04), CB(2)1145/08-09(01) & (02), CB(2)1217/08-09(01) and CB(2)1362/08-09(01))

11. Members noted a joint submission from the Federation of Asian Domestic Workers' Unions in HK, Coalition for Migrants Rights and Asian Migrant Centre, which was tabled at the meeting.

(Post-meeting note : The submission tabled at the meeting was issued to members vide LC Paper No. CB(2)1362/08-09 on 17 April 2009).

12. SLW and Commissioner for Labour (C for L) briefed members on issues pertaining to the exclusion or otherwise of students undertaking internship programmes and domestic workers under the proposed statutory minimum wage (SMW) legislation, as detailed in the Administration's paper.

13. C for L, who was also Chairman of the Labour Advisory Board (LAB), informed members that since the coverage of different groups of workers under SMW was an extremely complex issue, LD had conducted extensive consultation with various stakeholders on the issue. Given their diverse views, it was not possible to satisfy all the needs of different groups of stakeholders. Therefore, the paper on the coverage of employees under SMW was written with two cardinal considerations in mind. First, any proposal for exempting students undertaking internship programmes and domestic workers from SMW should balance the interests of employers and employees. Second, the

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proposals should be practicable and not prone to abuse. After careful consideration, LAB agreed that students undertaking internship programmes for meeting academic or programme requirement which should be either credit-bearing/an elective or a compulsory requirement for obtaining the concerned academic qualification should not be covered by the SMW legislation. The majority of LAB members also supported that live-in domestic workers should not be covered by the SMW legislation.

14. SLW said that the Administration would like to listen to members' views so as to map out the way forward.

15. Mr WONG Kwok-hing asked whether the Administration would defer introduction of the SMW bill into the Legislative Council (LegCo), given the complexity of the issue. SLW re-affirmed the Administration's aim to introduce the bill into LegCo within the current legislative session as scheduled.

Exclusion or otherwise of students undertaking internship

16. Mr WONG Kwok-hing said that under the Internship Programme for University Graduates (IPUG), graduates would receive internship training at no less than \$4,000 per month. He asked whether this policy was consistent with the spirit of SMW.

17. SLW responded that IPUG and SMW were two different issues. For SMW, the issue of exclusion or otherwise related to students undertaking internship in the concerned post-secondary and education institutions rather than university graduates. SLW further clarified that IPUG required employers to pay wages to university graduates on par with the market wage levels.

18. Ms Miriam LAU said that apart from undertaking internship for the purpose of obtaining credit and meeting compulsory course requirement, some students undertook internships that would serve as a reference for tertiary institutions in assessing student performance. She expressed concern that the internships so undertaken would be covered by the SMW legislation and hence the opportunity for students to acquire on-the-job training would be reduced. C for L responded that the internship requirement at issue should be either credit-bearing/an elective or a compulsory requirement for obtaining the concerned academic qualification.

Exclusion or otherwise of domestic workers

19. Mr WONG Kwok-hing enquired whether domestic helpers working on a part-time basis and workers who dwelled in the employer's workplace would be covered under the SMW regime.

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20. SLW explained that the "live-in" condition was the key to distinguish whether or not a domestic helper should be covered by SMW. There were practical difficulties for SMW to cover live-in domestic workers because the multifarious domestic duties and possible tasks varying from day to day and from time to time would render it quite impossible to ascertain the actual hours worked in order to determine the hourly wages due. In addition, it might not be practicable for a household to keep a clear record of such working hours as required of other employers under the SMW regime. In this connection, it was proposed that live-in domestic workers should be exempted from SMW. As part-time domestic helpers did not meet the "live-in" criterion and other workers who dwelled in the employers' workplaces were not domestic workers, they would be covered by the SMW legislation.

21. Ms Miriam LAU said that while SMW was introduced to protect low-income workers, it could be turned into a threat to the middle class. The proposal to use "live-in" as a condition to determine whether a domestic helper would be covered by the SMW legislation would mean that a majority of foreign domestic helpers (FDHs) would not be covered by SMW. The threat of a judicial review by FDHs was like a time bomb for some 200 000 middle-class families that hired FDHs. She expressed concern that any changes to the existing policy governing FDHs would have socio-economic impacts on Hong Kong. She pointed out that the Administration had, in the past, lost in a number of judicial review cases. The risk of the Administration losing this battle would have dire consequences on local workers and working women. Ms LAU expressed grave concern that the risk was too high and enquired whether the Administration had sought legal advice on such a possibility.

22. SLW responded that the Administration was aware of such implications and hence had conducted consultation with various stakeholders to collect different views and ascertain the impacts brought about by SMW. The aim was to come up with an optimal legislative proposal. The Administration would not rule out the possibility of any individual seeking a judicial review, as it was a civil right. The Administration, however, would ensure that the draft bill would take into account the different viewpoints and legal viability before it was introduced into LegCo.

23. C for L said that it was LD's responsibility to let the public know about the implications of SMW and to conduct consultation with respective stakeholders to gauge public opinion on whether and how SMW should be implemented. If the community considered that SMW was the way forward, the deliberation on the exclusion or otherwise of live-in domestic workers would be unavoidable. The Administration believed that the risk of legal challenge would be reduced if the policy and legislative intent of the SMW bill including its coverage were clear.

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24. Mr IP Kwok-him supported the proposal to adopt "live-in" as the condition to exclude domestic helpers from the SMW regime. He said that live-in FDHs were hired not only by the middle class, but also households with low income. He noted that some families had hired FDHs to take care of the elderly and the costs were shared among the siblings. If FDHs were paid at the SMW rate, many low-income households would not be able to afford it and that would give rise to social problems with children and elderly people being left unattended. On the other hand, exempting live-in FDHs from SMW might infringe human rights and the relevant provisions of anti-discrimination legislation. To facilitate consideration by members, Mr IP requested the Administration to provide information on the household income of employers hiring FDHs.

25. SLW responded that employment of FDHs was no longer restricted to the middle class. In general, an employer engaging an FDH was required to have a household income of no less than \$15,000 per month. At present, some 260 000 FDHs were working in Hong Kong. C for L supplemented that 11.6% of FDH employers in the 4th quarter of 2006 and 12.6% of FDH employers in the 4th quarter of 2008 had a household income of \$15,000 per month. In the 4th quarter of 2008, 18% and 45% of FDH employers had a household income below \$20,000 and \$40,000 respectively.

26. Mr LEUNG Kwok-hung was glad that the Administration had recognized the contributions of FDHs to Hong Kong in its paper. He held the view that live-in FDHs should be covered by the SMW legislation and any exemption would encourage local workers to discriminate against FDHs. He said that the Administration should provide ample justifications for exempting interns and live-in FDHs from SMW.

27. Mr LEE Cheuk-yan expressed discontent that the contributions made by FDHs had been regarded as a form of welfare to the middle class and low-income households. He pointed out that the provision of FDHs sought to strengthen the labour force in Hong Kong and the release of women to the workforce was only a by-product. If the Administration really wanted to encourage women joining the workforce, it should provide adequate nurseries and day care centres for children and home care centres for the elderly. Mr LEE said that SMW did not seek to cause tension between the middle class and FDHs. As it was unreasonable to expect anyone to work round-the-clock, FDHs should be covered by the SMW legislation and the Administration should resolve operational difficulties by exploring other alternatives. He suggested that the Government should consider prescribing standard working hours in the standard employment contract for FDHs, and the employer and the FDH could negotiate between themselves how the "standard working hours" would be computed and whether or not contingency hours should be counted. The minimum allowable wage (MAW) applied to FDHs at present would be replaced by the "standard working hours" which would form the basis for

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computation of wages to be determined by the Minimum Wage Commission (MWC). Given that MWC would be an independent body to be responsible for recommending the appropriate level for SMW and the "standard working hours", there would be consistency in application and hence reduce the risk of infringing human rights and the relevant provisions of anti-discrimination legislation.

28. C for L appreciated the idea brought up by Mr LEE. She said that LD had considered the proposal and came to the view that it could not solve the "live-in" problem. She explained that the round-the-clock attendance of live-in domestic workers had rendered computation of SMW denominated by the hour infeasible. Even if standard working hours could be set for FDHs, how to deal with the contingency need to work during unsocial hours was another question. She stressed that it was not the intention of the Administration to exempt FDHs from SMW. As it happened that the majority of FDHs were "live-in" domestic workers, the exemption of the latter group from SMW would be inevitable. She pointed out that the current policy regarding the importation of FDHs required that FDHs be live-in and be paid a monthly wage. The notion that FDHs be paid wages computed on an hourly basis was a major departure from the existing FDH policy and one had to consider seriously the implications of confounding the FDH and SMW policies which emanated from very different policy intentions. She further pointed out that there was no major conceptual difference between paying a FDH at MAW or a monthly SMW. LD had gone through a brainstorming session after acknowledging Mr LEE's proposal and concluded that it was not viable.

29. Dr PAN Pey-chyou said that Hong Kong would be making history in introducing SMW to give statutory protection to low-income workers. He commended FDHs for their contributions to Hong Kong and considered that FDHs, regardless of their origin, should be protected by labour laws. Nevertheless, he realized the practical difficulties of including FDHs under SMW and the controversy over prescribing standard working hours for FDHs. He hoped the Administration would come up with a solution to handle live-in FDH issues.

30. C for L said that if FDHs were covered by the SMW legislation, one key feature of which was to define SMW rate by the hour, their wages would be computed on an hourly basis. That would fundamentally erode the established policy for FDHs.

31. Noting that live-in FDHs received in-kind benefits such as free accommodation, free food and savings in travelling costs, Mr WONG Sing-chi enquired whether the in-kind benefits would be counted as part of the remuneration package when computing the long service payment for FDHs upon termination of employment service.

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32. C for L said that the policy behind importing FDHs was to address the need of families to hire live-in domestic helpers while acknowledging the local shortage for such helpers. "Live-in" was a condition stipulated in the standard employment contract for FDHs and a person who did not accept such a condition would not be granted a working visa. Unlike local domestic helpers, FDHs' place of origin was not within Hong Kong and they had a choice to decide whether to work in Hong Kong or otherwise. C for L stressed that the policy intention of SMW and FDHs was very different and whether the introduction of the former should result in a fundamental erosion of the latter should be seriously considered. She added that the long service payment for a FDH was reckoned on the basis of monthly wages, regarding which MAW was currently at \$3,580 per month.

33. Mr Alan LEONG said that whether live-in FDHs should be covered by the SMW legislation was indeed a difficult question. He considered that the issue could be examined from two angles -

- (a) if live-in FDHs were exempted from SMW, there was a risk of infringing human rights and the relevant provisions in the Basic Law and anti-discrimination legislation. Although C for L had explained that there was a policy for FDHs, it was uncertain whether this argument could stand the test of judicial review. It would be useful if the Administration would share with the Panel the legal advice it had obtained on the issue, if any; and
- (b) if the inclusion of FDHs under the SMW legislation was inevitable, there would be a need to distinguish the special characteristics of FDHs from local domestic helpers so that the 260 000 families would not be required to pay the additional costs arising from implementation of SMW. Some of the unique characteristics of hiring FDHs included the requirement for employers to pay for medical examination fees, authentication fees by the consulates concerned, visa fees, insurance fees, etc.

34. SLW noted Mr LEONG's views. He said that as explained in paragraph 12 of the Administration's paper, the interests of FDHs were safeguarded by the employment terms prescribed in the standard employment contract and MAW. In addition, unlike local domestic helpers, FDHs were given free accommodation, free food, free passage from and to FDHs' place of origin, etc. The Administration would analyze the issue along that angle. SLW further said that legal advice had been sought from the Department of Justice and the Administration would ensure the legal tenability of the final proposal before the SMW bill was introduced into LegCo.

35. Mr IP Wai-ming enquired about the number of FDHs who did not live in the employers' home and whether they would be covered by the SMW

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legislation. C for L said that when the FDH policy was first introduced, FDHs were not required to reside in the employers' home. There was a grandfathering arrangement to exempt FDHs employed by the relevant employers from the existing mandatory live-in requirement for FDHs. There were about 100 such FDHs and they would be covered by the SMW legislation. In other words, the SMW legislation would cover all domestic workers not living in employers' homes and would not discriminate against any race groups.

36. Mr CHAN Kin-por said that FDHs and employers should not be confrontational. If the inclusion of FDHs under the SMW legislation would lead to a cost increase in hiring live-in domestic helpers, low-income households might find FDHs unaffordable and hence ceased hiring FDHs. At the same time, the decrease in demand for FDHs might result in voluntary wage reduction, which would be illegal, by FDHs in order to compete for jobs and that would render any proposed prescription of standard working hours ineffective. He considered the issue of standard working hours controversial and cautioned members not to underestimate the operational problems it entailed. Mr CHAN considered the exemption of live-in FDHs from the SMW legislation essential.

37. C for L said that there was another group of domestic helpers who were not covered by the standard employment contract for FDHs. They were the live-in local domestic helpers who worked as gardeners, chauffeurs, post-natal workers, etc. There were about 1 400 such workers at present.

38. The Deputy Chairman said that Hong Kong had imported FDHs because there was an inadequate supply of live-in domestic helpers. If "live-in" was no longer a precondition for FDH employment, there should be restriction on the number of imported FDHs in order to protect the job opportunities of local domestic helpers, e.g. subjecting their importation to the Supplementary Labour Scheme currently applicable to the importation of labour for other low-skilled job categories.

39. C for L responded that any proposal to remove the "live-in" condition from the standard employment contract for FDHs would require an overall review on the FDH policy. She reiterated that changing the existing policy on FDHs had never been the policy intention of introducing the SMW.

40. Mr Frederick FUNG said that the exclusion or otherwise of live-in FDHs from the SMW legislation posed problems one way or the other. Ideally, a legal framework should be put in place which would accommodate the existing arrangement for live-in FDHs and the new SMW regime.

41. SLW noted members' views and said that the Administration would take them into account when drafting the SMW bill.

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42. Mr IP Wai-ming hoped that all domestic workers would receive the same treatment. He enquired whether other Asian countries had implemented SMW and, if so, whether it was applicable to both local and foreign domestic helpers. Assistant Commissioner for Labour (Policy Support and Strategic Planning) (AC for L) said that he had sought information from the relevant consulates. The Philippines and Indonesia had SMW and both had special arrangement for live-in domestic helpers, while Singapore had no SMW in place. AC for L undertook to provide the Panel with the relevant information when available.

(Post-meeting note : The Administration confirmed after the meeting that in the Philippines, depending on the region, live-in domestic workers have monthly SMW rates ranging from P550 (HK\$90) to P800 (HK\$130), while employers are required to provide also free accommodation, food and medical care. For reference, other workers' monthly wages with the SMW rates in different regions range from P3,870 (HK\$630) to P8,310 (HK\$1,360). In Indonesia, domestic workers are not covered by the Manpower Act governing the provision of SMW.)

IV. Future directions of the Employees Retraining Board

(LC Paper No. CB(2)1272/08-09(05) and CB(2)1354/08-09(01))

43. Members noted that the Employees Retraining Board (ERB) had relaxed the eligibility criteria for its Employees Retraining Scheme (ERS) to cover people aged 15 or above and with education level at sub-degree or below since 1 December 2007. In January 2008, ERB released a public consultation document and conducted a strategic review on its future role and functions. The consultation document recommended, inter alia, that ERB should provide more comprehensive and diversified training and retraining services for the local labour force. It laid down the blueprint for the future development of ERB.

44. Permanent Secretary for Labour and Welfare (PSLW) and Executive Director of ERB (ED/ERB) briefed members on the public consultation conducted by ERB and the future directions of ERB as detailed in the LegCo Brief.

45. Mr LEE Cheuk-yan said that in the face of the financial tsunami, many unemployed low-skilled workers found it difficult to afford the travelling expenses to attend courses provided by ERB. He expressed concern that by offering some ERB courses in full-day/half-day mixed mode, trainees would not be able to receive the training allowance which subsidized trainees' expenses for transport and meals during the half-day sessions. The prolonged duration of training also meant that they could only find a job at a later time.

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46. PSLW explained that ERB was mainly funded by the Employees Retraining Levy (the Levy) payable by employers of imported workers including foreign domestic helpers. Following the passage of the Employees Retraining Ordinance (Amendment of Schedule 3) (No. 2) Notice 2008, the Levy was suspended for a period of five years up to 31 July 2013. ERB had to make optimum use of its limited resources and provide training allowance only to those mostly in need.

47. ED/ERB said that about 80% of ERB's annual expenditure was used to defray the provision costs of training courses run by training bodies and to cover expenses for training allowance, and the remaining 20% for operating the One-Stop Training-cum-Employment Resource Centre, the Integrated Scheme for Local Domestic Helpers which was rebranded as Smart Living, the Healthcare Massage Integrated Scheme, the Practical Skills Training and Assessment Centre etc. The responsibility of ERB was to provide training courses and related placement services for the purpose of helping local employees adjust to changes in the employment market arising from Hong Kong's economic restructuring by acquiring new or enhanced vocational skills, and to promote skills assessment and professional certification to fortify recognition. Training allowance should not be a major element of employees retraining. In order to offer more training places and to optimize the use of resources, some placement-tied courses had been operated on a mixed mode of full-day and half-day basis since 2002. To help the working population to attain recognized qualifications, training courses offered by ERB were listed on the Qualifications Register, and recognized by the Qualifications Framework (QF). In view of the credit calculation requirements under QF which stipulated that self-learning time was essential for learning effectiveness, ERB had improved the mixed mode arrangement and standardized the practice whereby a five-day course would consist of three full-day and two half-day sessions to allow time for consolidation of learning.

48. Mr LEE Cheuk-yan said that the Government used to provide funding in the amount of about \$400 million a year to ERB in the past. He considered that if ERB did not have adequate resources, the Government should continue to provide financial assistance. ERB should not reduce its expenditure by depriving unemployed low-skilled workers of the training allowance for which they were eligible under full-day placement-tied courses. Mr LEE noted that FHKCLU had expressed concern in its submission that the training allowance received by trainees belonging to the original target groups (people aged 30 or above, with education level of Secondary 3 or below) and the new target groups (people aged between 15 and 29, and those with education level at Secondary 4 up to sub-degree) were different, i.e. \$153.8 and \$70 per day of attendance respectively. Mr LEE said that the arrangement was unacceptable, as it might constitute age discrimination.

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49. ED/ERB responded that the public and the Panel on Manpower had been consulted on the training allowance. Some members of the Panel had queried whether young trainees and trainees with better academic background should also be paid a training allowance of about \$150 per day of attendance. Having considered all the views received, ERB came to the view that trainees belonging to the new target group attending full-time placement-tied courses should receive a training allowance at \$70 per day per attendance, while trainees belonging to the original target groups attending full-time placement-tied courses of QF Levels 1 and 2 would continue to receive the original training allowance of \$153.8 per day.

50. Mr WONG Sing-chi said that he did not see any specific improvement brought about by the strategic review of ERB. Some trainees had reflected the view that taking ERB courses might not necessarily lead to employment or employment related to the courses taken. He queried whether the courses offered were practical. He asked about the type of courses to be offered and whether the skills concerned were in demand in the job market.

51. ED/ERB responded that ERB attached great importance to course quality. Graduates of ERB full-time placement-tied courses were subject to end-of-course assessment. While some skills tests were assessed by ERB's Practical Skills Training and Assessment Centre, some were inspected by industry practitioners to ensure appropriate measurement and benchmarking of learning outcome for quality assurance purpose. ERB attached importance to quality assurance and had begun to develop professional/para-professional certification schemes to enhance the employability of trainees and set them on their paths to professional careers. ERB also monitored the performance of training bodies to ensure their cost-effectiveness in administering the courses by paying class visits, conducting site audits and surprise visits etc. ED/ERB said that ERB endeavoured to provide training courses that were market-driven and employment-oriented in order to help the labour force, especially the less competitive workers, to sustain employment and continue to upgrade themselves. To ensure its training keep pace with the demands and changes in the employment market, ERB maintained close liaison and communication with employers and worked in partnership with training bodies. The regular researches and studies conducted on labour market and manpower demand also helped ERB respond to changes in the job market in a flexible manner.

52. Mr Alan LEONG expressed concern that the expansion of ERS to cover people aged 15 or above had resulted in overlapping between ERS and other youth training programmes offered by LD, such as the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS). He enquired about the demarcation of roles between ERB and LD in this regard. As more young people would be unemployed under the current economic situation, he enquired whether ERB would introduce measures to cater for the special needs of young people.

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53. PSLW responded that to avoid duplication of youth training, the pre-existing youth programmes offered by the Vocational Training Council (VTC) targeting non-engaged youths had been adopted as ERB's Youth Training Programme. According to non-government organizations, young people who enrolled into YPTP and YWETS were often more proactive as compared to non-engaged youths for whom outreach services might be required.

54. ED/ERB said that ERB's Youth Training Programme and LD's YPTP sought to assist non-engaged youths to seek employment or other engagement with different approaches. To avoid duplication of services, ERB had, under the coordination of the Labour and Welfare Bureau, adopted the proposal from VTC to offer its current "Teens' Programme", "Modern Apprenticeship Scheme", and "Ethnic Minority Project" as ERB's Youth Training Programme on a pilot basis. A total of 2 000 training places had been set aside annually for the programme. Depending on the response, the number of places offered would be adjusted.

55. Mr WONG Kwok-hing expressed concern about the future direction of ERB and proposed two options for consideration -

- (a) in the long term, ERB should develop training courses which could tie in with the development and needs of different industries. For instance, ERB should develop courses to meet the needs of the six economic areas (i.e. testing and certification; medical services; innovation and technology; cultural and creative industries; environmental industry; and education services) identified by the Task Force on Economic Challenges to have the potential to strengthen Hong Kong's economic growth in the long term; and
- (b) in the short term, ERB should provide training to the unemployed who wished to start up their own businesses but did not have the knowledge and experience to do so. For instance, the unemployed who had just been granted the new Itinerant (Frozen Confectionery) Hawker Licence and those who wished to run stalls in the wet market operated by the Food and Environmental Hygiene Department.

56. ED/ERB said that the direction provided by the Government on the long-term opportunities for Hong Kong's economic growth was conducive to ERB's planning of its courses. ERB would liaise with the relevant government departments and relevant industries to understand the needs of the six economic areas in terms of manpower and skills required for people with education level at sub-degree or below and develop suitable training courses in due course. ED/ERB said that the imminent task of ERB was to offer

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placement-tied training courses to the unemployed who, with the assistance of training providers, could secure jobs immediately after training. As regards people who were granted the Itinerant (Frozen Confectionery) Hawker Licence, they were not unemployed and might take skill-upgrading training courses. ERB also offered training courses to help self-employed people to start and run business.

57. The meeting ended at 4:36 pm.

Council Business Division 2
Legislative Council Secretariat
19 May 2009