

**Replies to supplementary questions raised by Finance Committee Members in examining the
Estimates of Expenditure 2013-14**

**Director of Bureau : Secretary for Labour and Welfare
Session No. : 17**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
S-LWB(L)01	SV061	CHEUNG Chiu-hung, Fernando	90	Employment Services
S-LWB(L)02	S152	KWOK Wai-keung	90	Employment Services
S-LWB(L)03	S156	TANG Ka-piu	90	Safety and Health at Work
S-LWB(L)04	S157	TANG Ka-piu	90	Employees' Rights and Benefits
S-LWB(L)05	S003	WONG Kwok-hing	90	Labour Relations
S-LWB(L)06	S153	KWOK Wai-keung	141	Manpower Development

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-LWB(L)01

Question Serial No.

SV061

Head: 90 – Labour Department

Subhead (No. & title):

Programme: (2) Employment Services

Controlling Officer: Commissioner for Labour

Director of Bureau: Secretary for Labour and Welfare

Question:

Pursuant to reply no. LWB(L)087, the Administration is requested to provide information on the number of applications made yearly to the Selective Placement Division (SPD) of the Labour Department (LD) by job seekers with disabilities and the number of successful referrals.

Asked by: Hon. CHEUNG Chiu-hung, Fernando

Reply:

In 2012, the number of job seekers with disabilities registered with SPD of LD for employment service was 2 686. Subsequent to SPD's provision of employment counselling, job referral or support services, 1 780 out of 2 686 registrants secured employment. For the remaining 906 registrants, 119 were medically assessed as unfit for open employment, 288 no longer looked for jobs for personal reasons, and the remaining 499 were in the process of seeking employment.

Name in block letters: CHEUK WING HING

Post Title: Commissioner for Labour

Date: 18.4.2013

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Head: 90 – Labour Department

Subhead (No. & title):

Programme: (2) Employment Services

Controlling Officer: Commissioner for Labour

Director of Bureau: Secretary for Labour and Welfare

Question:

The Administration stated in the reply LWB(L)057 that possibly because the work nature and environment of the applications under the Supplementary Labour Scheme (SLS) were less appealing to local workers, no tailor-made training courses were organised for these applications from 2008 to 2012. In this connection, please provide further information:

- (a) How to assess the extent of appeal to local workers in respect of the work nature and environment of the applications under SLS? What is the extent required for organising a tailor-made training course; and
- (b) Is there any plan to enhance local workers' incentive to take up those jobs by improving the work environment and remuneration? If yes, what are the details? If no, how can the problem of long-term labour shortage in those jobs resulting in reliance on labour importation be addressed?

Asked by: Hon. KWOK Wai-keung

Reply:

The information sought is provided as follows:

- (a) In deciding whether tailor-made courses for a particular application under SLS will be launched, the Employees Retraining Board (ERB) will consider relevant factors such as the responses of local workers to prospective courses. ERB provides tailor-made courses if employers or groups of employers can offer 12 or more vacancies in a particular position requiring skill sets at the entry level and not readily available from ERB's full-time placement-tied courses.
- (b) SLS applications are submitted by employers from various sectors (e.g. construction sector, elderly homes, retail trade and catering industry) with divergent work environments and remuneration packages. The Administration will, based on the particular situation of a sector, consider how to facilitate programmes and measures to channel more local workers to the sector.

Name in block letters: CHEUK WING HING

Post Title: Commissioner for Labour

Date: 18.4.2013

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Head: 90 – Labour Department

Subhead (No. & title):

Programme: (3) Safety and Health at Work

Controlling Officer: Commissioner for Labour

Director of Bureau: Secretary for Labour and Welfare

Question:

- (a) According to Annexes 1, 2, 3 and 4, how many accident victims were engaged as drivers at the time of accident? (Reply Serial No. LWB(L)107)
- (b) Referring to the fatal cases at Annex 1, please set out the amount of employees' compensation for each case by industry classification.

Asked by: Hon. TANG Ka-piu

Reply:

The information sought is provided as follows:

- (a) The Labour Department (LD) keeps information on accidents by industry and types of accidents. However, since drivers may be engaged in various industries, LD is unable to provide the number of accident victims who were engaged as drivers at the time of accident.
- (b) Not all claims for employees' compensation (EC) are determined by the Commissioner for Labour, and parties to the claims are not obliged to inform LD of the amount of EC settled through court adjudication. We are unable to provide the requested information on the EC amounts in respect of the industrial fatalities in the past 10 years.

Name in block letters: CHEUK WING HING

Post Title: Commissioner for Labour

Date: 18.4.2013

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-LWB(L)04

Question Serial No.

S157

Head: 90 – Labour Department

Subhead (No. & title):

Programme: (4) Employees' Rights and Benefits

Controlling Officer: Commissioner for Labour

Director of Bureau: Secretary for Labour and Welfare

Question:

Regarding the reply LWB(L)065, it is stated that there were 709 applications for “severance payment” and the amount of payment was \$8 million. In the 709 cases, applicants claimed severance payment to be offsetted by “employers’ contributions in the Mandatory Provident Fund (MPF) accounts”. What was the total amount of claims for MPF involved?

Asked by: Hon. TANG Ka-piu

Reply:

Regarding the 709 applications for ex gratia payment from the Protection of Wages on Insolvency Fund in respect of severance payment in 2012, we do not keep record on the total amount of the employers’ contributions in the MPF accounts involved in the severance payment claimed.

Name in block letters: CHEUK WING HING

Post Title: Commissioner for Labour

Date: 18.4.2013

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-LWB(L)05

Question Serial No.

S003

Head: 90 – Labour Department

Subhead (No. & title):

Programme: (1) Labour Relations

Controlling Officer: Commissioner for Labour

Director of Bureau: Secretary for Labour and Welfare

Question:

What is the progress of the implementation of paternity leave in public organisations? If no arrangements have been made, would consideration be given to extending the implementation of paternity leave in the Government to organisations such as the Consumer Council, the Equal Opportunities Commission, the Mandatory Provident Fund Authority, the Vocational Training Council, the Hong Kong Productivity Council and the Hong Kong Tourism Board?

Asked by: Hon. WONG Kwok-hing

Reply:

As a general rule, the Administration is not involved in determining the terms of employment of staff working in public organisations, which are employment matters between the organisations as employers and their employees. Public organisations have the autonomy to agree on specific contractual terms with their employees having regard to their own circumstances.

The Administration has all along been encouraging local enterprises to adopt family-friendly employment practices including paternity leave as an incentive to recruit and retain staff. We produced a thematic leaflet on paternity leave in early 2012 and copies of it have been widely distributed to local enterprises including public organisations. We consulted the Panel on Manpower of the Legislative Council in January 2013 on the proposal to legislate for paternity leave which would also be applicable to public organisations on enactment of the legislation.

Name in block letters: CHEUK WING HING

Post Title: Commissioner for Labour

Date: 18.4.2013

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-LWB(L)06

Question Serial No.

S153

Head: 141 – Government Secretariat: Subhead (No. & title):
Labour and Welfare Bureau

Programme: (4) Manpower Development

Controlling Officer: Permanent Secretary for Labour and Welfare

Director of Bureau: Secretary for Labour and Welfare

Question:

As indicated in reply serial no. LWB(L)147, the number of approved applications under the Continuing Education Fund (CEF) in the past three years (2010-11, 2011-12 and 2012-13) were 41 903, 38 227 and 31 857 respectively. How many approved applicants had yet to claim reimbursement from CEF within the validity period? Will the Administration consider extending the validity period and allowing the applicants who have never claimed reimbursement from CEF within the validity period to submit fresh applications?

Asked by: Hon. KWOK Wai-keung

Reply:

An eligible CEF applicant is required to complete his or her course(s) registered under CEF and submit a maximum of four claim(s) for course fee reimbursement within a validity period of four years. For the approved applications in the past three years (2010-11, 2011-12 and 2012-13), the four-year validity period has not yet expired.

Name in block letters:

Miss Annie TAM

Post Title:

Permanent Secretary
for Labour and Welfare

Date:

18.4.2013