



Labour Department (Headquarters)

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14 February 2013

Clerk to Panel on Manpower
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Ms Betty Ma)

Dear Ms Ma,

**Panel on Manpower
List of follow-up actions**

We refer to item 6 in LC Paper No. CB(2)515/12-13(01) on the list of follow-up actions and provide below the information as requested by the Panel on Manpower.

- (a) Number of employees with disabilities who had not undergone any assessment of productivity and opted to retain their original wage rate after the implementation of statutory minimum wage (SMW)

Under the Minimum Wage Ordinance (MWO), serving employees with disabilities who were already in employment and opted for the transitional arrangement before 1 May 2011 may invoke the productivity assessment at any time having regard to their individual circumstances and needs. Before the completion of the assessment, these serving employees with disabilities can retain their original wage rate which will follow the same percentage adjustment of the SMW rate, if any. For example, they will also enjoy a 7.1% increase in

their original wage rate with effect from 1 May this year. The employees with disabilities concerned are not required under the MWO to notify the Labour Department of their election for the transitional arrangement. We are thus not able to provide the statistics on employees with disabilities who had not undergone any assessment of productivity and opted to retain their original wage rate after the implementation of SMW.

(b) Breakdown of the assessment results of those employees with disabilities who had completed an assessment of productivity

As at the end of 2012, 280 cases of productivity assessment had been completed under the MWO. Of these cases, the assessment results of the majority (about 97%) showed productivity of not less than 50%. A breakdown of the assessment results is set out at Annex.

Yours sincerely,



(William Mak)
for Commissioner for Labour

**Assessment results of productivity assessments completed
under the Minimum Wage Ordinance**

Degree of productivity	No. of assessments
30% to less than 40%	1
40% to less than 50%	8
50% to less than 60%	34
60% to less than 70%	82
70% to less than 80%	67
80% to less than 90%	57
90% to less than 100%	25
100%	6
Total	280