立法會 Legislative Council

LC Paper No. CB(2)1292/15-16 (These minutes have been seen by the Administration)

Ref: CB2/PL/MP

Panel on Manpower

Minutes of meeting held on Tuesday, 16 February 2016, at 4:30 pm in Conference Room 1 of the Legislative Council Complex

Members : Hon KWOK Wai-keung (Chairman)

present Dr Hon CHIANG Lai-wan, JP (Deputy Chairman)

Hon LEUNG Yiu-chung

Hon Tommy CHEUNG Yu-yan, GBS, JP

Hon CHAN Kin-por, BBS, JP Hon WONG Kwok-kin, SBS Hon IP Kwok-him, GBS, JP Hon LEUNG Kwok-hung

Hon CHAN Yuen-han, SBS, JP

Dr Hon KWOK Ka-ki

Hon SIN Chung-kai, SBS, JP Hon POON Siu-ping, BBS, MH

Hon TANG Ka-piu, JP Hon CHUNG Kwok-pan

Member : Dr Hon Helena WONG Pik-wan

attending

Members absent Hon LEE Cheuk-yan
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che

Hon LEUNG Che-cheung, BBS, MH, JP

Public Officers attending

: Item III

Mr Stephen SUI Wai-keung, JP Under Secretary for Labour and Welfare

Mr LAM Ka-tai, JP Deputy Director of Social Welfare (Services)

Mr Charles HUI Pak-kwan, JP Assistant Commissioner for Labour (Employment Services)

Miss Fiona LI Wing-suen
Principal Assistant Secretary for Labour and Welfare
(Welfare) 2

Ms Lydia LAM Sui-ping
Principal Assistant Secretary for Labour and Welfare
(Manpower)

Ms Jessica LAU Hang-yee Senior Labour Officer (Workplace Consultation Promotion) Labour Department

Item IV

Mr Byron NG Kwok-keung, JP Deputy Commissioner for Labour (Labour Administration)

Mr Charles HUI Pak-kwan, JP Assistant Commissioner for Labour (Employment Services)

Mr Raymond LIANG Lok-man
Senior Labour Officer (Employment Services)
(Construction)
Labour Department

Attendance by invitation

: Item III

Democratic Alliance for the Betterment and Progress of Hong Kong

Mr NGAN Man-yu Deputy Spokesperson on Manpower

Democratic Party

Ms CHAN Shu-ying Representative

New People's Party

Miss Judy CHAN Ka-pui Representative

Task Force on Foreign Helper's Problems of Liberal Party

Mr Michael LEE Convenor

Democratic Alliance for the Betterment and Progress of Hong Kong Women Affairs Committee

Ms CHEUNG Fan-lan Member

Support Group for Hong Kong Employers with Foreign Domestic Helpers

Miss Lisa TONG Honorary Treasurer

The Hong Kong Federation of Trade Unions Women Affairs Committee

Ms CHUNG Siu-ying Member

PathFinders

Ms Rachel Ganly

Research and Communications Manager

Labour Party

Miss Suzanne WU

Chairwoman

Hong Kong Confederation of Trade Unions Women Affairs Committee

Ms YU Mei-wan

Chairperson

The Federation of Hong Kong and Kowloon Labour

Unions

Miss Amy LEE

Supervisor of Women's Commission

Clerk in : Miss Betty MA

attendance Chief Council Secretary (2) 1

Staff in : Ms Rita LAI

attendance Senior Council Secretary (2) 1

Ms Kiwi NG

Legislative Assistant (2) 1

Miss Lulu YEUNG Clerical Assistant (2) 1

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I. Information papers issued since the last meeting

(LC Paper Nos. CB(2)738/15-16(01), CB(2)776/15-16(01) and CB(2)838/15-16(01))

<u>Members</u> noted that the following papers had been issued since the last meeting:

- (a) letter dated 22 January 2016 from Mr TANG Ka-piu suggesting the Panel to discuss the subject of occupational safety and health of employees engaged by contractors of outsourcing government services;
- (b) letter dated 25 January 2016 from Dr CHIANG Lai-wan suggesting the Panel to discuss issues relating to the existing arrangements on the outsourcing of government services and the concerned employees' rights and protection; and
- (c) letter dated 2 February 2016 from Mr TANG Ka-piu suggesting the Panel to discuss the occupational safety of construction works of the Hong Kong-Zhuhai-Macao Bridge.
- 2. In respect of paragraph 1(a) above, <u>members</u> were advised that the Administration intended to brief the Panel on the occupational diseases and occupational health performance in Hong Kong in 2015 at the March meeting. <u>The Chairman</u> added that the Administration would be requested to provide information on issues of concern raised in Mr TANG Ka-piu's letter in the discussion paper.
- 3. With respect to paragraph 1(b) above, <u>members</u> noted that Dr CHIANG Lai-wan's proposal had been added to the Panel's list of outstanding items for discussion.

II. Date of next meeting and items for discussion (LC Paper Nos. CB(2)859/15-16(01) and (02))

Regular meeting in March 2016

- 4. <u>Members</u> agreed that the following items proposed by the Administration be discussed at the next regular meeting at 4:30 pm on 15 March 2016:
 - (a) Employment support services for ethnic minorities; and
 - (b) Occupational diseases and occupational health performance in 2015.

In respect of item (a) above, <u>Miss CHAN Yuen-han</u> suggested and <u>members</u> agreed that the Panel would receive public views on the subject.

Special meeting in March 2016

5. With reference to her joint letter dated 15 February 2016 with Mr WONG Kwok-kin and Mr TANG Ka-piu, which was tabled at the meeting, Miss CHAN Yuen-han suggested and members agreed that the Panel would discuss issues relating to the importation of labour under the Supplementary Labour Scheme ("SLS") and receive public views on the subject at a special meeting to be held on 9 March 2016 at 2:30 pm.

(*Post-meeting note*: The abovementioned joint letter tabled at the meeting was issued to members vide LC Paper No. CB(2)901/15-16 on 17 February 2016.)

Review of the implementation of statutory paternity leave ("PL")

6. <u>The Chairman</u> requested the Secretariat to follow up with the Administration in respect of the timing for reverting to the Panel on the review findings of the implementation of statutory PL.

III. Women employment

(LC Paper Nos. CB(2)859/15-16(03) and (04))

- 7. At the invitation of the Chairman, <u>Under Secretary for Labour and Welfare</u> ("USLW") updated members on the implementation of population policy initiatives related to unleashing the potential of the women workforce and the enforcement of the Family Status Discrimination Ordinance, as detailed in the Administration's paper.
- 8. <u>Members</u> noted the background brief entitled "Women employment" prepared by the Legislative Council Secretariat.

Presentation of views by deputations

9. At the invitation of the Chairman, a total of 11 deputations presented their views on women employment. A summary of these deputations' views is in the **Appendix**.

Measures to facilitate women to join the workforce

Provision of child care services

- While welcoming the provision of about 1 200 additional places of extended hours service in child care centres ("CCCs") for children aged below six as stated in the 2016 Policy Address, Dr Helena WONG expressed grave dissatisfaction about the existing provision of child care services and the lack of comprehensive service planning and policy initiatives comparable with the social and economic development. Noting that many middle-class households had employed foreign domestic helpers to take care of their children, Dr WONG was particularly concerned about the child care services for grassroots families with children in some less well-off districts such as Sham Shui Po and Cheung Sha Wan. Pointing out that the utilisation rate of full-day standalone CCC subsidized places in many districts had reached 100%, Dr WONG enquired whether the Administration had conducted a study on the service needs of different districts. She raised queries about the rationale for planning to provide about 100 additional aided long full-day child care places for children aged below three in Sha Tin only in 2018-2019. In her view, the Administration should consider increasing resources allocation in setting up CCCs in less well-off districts as well as districts with new public rental housing estates, thereby facilitating the female home-makers, in particular the newly-arrived women, to join the labour force. Dr WONG further suggested that CCCs be also set up in some major Mass Transit Railway stations so as to facilitate working mothers to deliver and pick up their children before and after Miss CHAN Yuen-han was in support of the suggestion. Mr LEUNG Kwok-hung held the view that the Social Welfare Department ("SWD") should consider setting up CCCs on vacant school premises or collaborating with the Development Bureau ("DevB") in identifying suitable sites for the purpose.
- 11. <u>Miss CHAN Yuen-han</u> was gravely concerned that the need for providing adequate child care services so as to release the potential of female workforce had been deliberated in the community for several decades. In face of the challenges of an ageing population and a projected decline in the labour force, <u>Miss CHAN</u> held the view that the Administration should take proactive measures to facilitate the employment of more than 500 000 economically inactive females. <u>Miss CHAN</u> added that she had put forth proposals to unleash potentials of female homemakers to enter the labour force in the context of population policy. Miss CHAN and Mr LEUNG Kwok-hung urged the

Administration to endeavour to implement policy initiatives in support of women employment, including enhancing the provision of child care services.

- 12. <u>Miss CHAN Yuen-han</u> expressed concern that the Neighbourhood Support Child Care Project ("NSCCP") had departed from its objective of providing income supplement to homemakers. <u>Miss CHAN</u> called on the Administration to make appropriate improvement to NSCCP. <u>Mr LEUNG Kwok-hung</u> considered that the concept of promoting community participation and mutual assistance in the neighbourhood had been abused. Given that some females wished to earn an income to support their families by taking up the role of child carers under NSCCP, it was inappropriate that these child carers were remunerated with incentive payments.
- 13. Mr TANG Ka-piu expressed particular concern about the subsidized child care services for infants and children aged below three. Mr TANG considered it critical that mothers with newly born babies could be provided with such services so that they could rejoin the labour market after child delivery. Mr TANG enquired about the Administration's service plan in this regard.
- 14. Mr POON Siu-ping shared the deputations' views in respect of the Administration's incomprehensive planning of child care services. Noting that the Administration was exploring, on a pilot basis, the feasibility of providing about 100 child care places to be operated by non-governmental organisations ("NGOs") in the proposed Government Complex in Tseung Kwan O, Mr POON sought clarification as to whether the service users were limited to civil servants.
- 15. <u>Dr Helena WONG and Mr SIN Chung-kai</u> expressed concern about the consultancy study to be conducted by the Administration in respect of the long-term planning of child care services. Raising queries that it was a delaying tactic employed by the Administration in addressing concerns about inadequate child care services, <u>Mr SIN</u> saw no need for the Administration to commission such a consultancy study. In his view, the Administration should be fully aware of the crux of the child care problems. Moreover, many women's organizations as well as community concern groups had already provided the Administration with useful recommendations on the matter. <u>Miss CHAN Yuen-han</u> shared similar views and concerns. <u>Dr WONG, Mr SIN and Mr LEUNG Kwok-hung</u> sought further information on the details and timetable of the consultancy study.

- 16. In response to the views and concerns of deputations and members, <u>USLW</u> made the following points :
 - (a) the Administration attached great importance to child care services. To support parents who were unable to take care of their children temporarily because of work or other reasons, SWD had all along been providing subsidies to NGOs to run a variety of child care services for children below the age of six, including standalone CCCs, kindergarten-cum CCCs, occasional child care services and Mutual Help Child Care Centre services, which were complementary to one another;
 - (b) the Administration adopted a dual approach in enhancing the provision of child care services with a view to removing the barriers for women to enter or stay in employment and to further respond to the community demand for child care services. To this end, the Administration had been launching a series of measures to strengthen the existing child care services, including the following:
 - (i) increasing, by phases, the provision of about 5 000 Extended Hours Service places at aided CCCs and kindergarten-cum-CCCs in districts with heavy demand. About 1 200 of such places had been provided since September 2015;
 - (ii) service operators of NSCCP, which aimed to provide needy parents with flexible form of day child care service at the neighbourhood level, had been given extra resources to meet the actual service demand; and
 - (iii) having regard to the high utilization rate of full-day standalone CCC subsidized places in many districts, the Administration would strive to identify suitable premises in setting up CCCs. In effect, the Labour and Welfare Bureau would identify suitable vacant school premises for welfare uses, including the setting up of CCCs;
 - (c) the Administration would commission a consultancy study to advise on strategies for the long-term development of child care services with a view to providing services that would

meet the needs of the families in Hong Kong. A consultant would be engaged by invitation of tender from the social welfare sector and academia. In preparing the tender document, the Administration had discussed with the Hong Kong Council of Social Service and the stakeholders about the consultancy study. Views and concerns of members and deputations attending the meeting would be duly taken into account in conducting the consultancy study. In addition, reference would be made to overseas experience and views would be collected from stakeholders, including service users and operators, with focus on the service demand and supply, and mode of service provision so as to identify specific options for implementation. SWD was preparing the tender document and the Administration would take it forward as soon as practicable in 2016.

17. <u>Deputy Director of Social Welfare (Services)</u> ("DDSW(S)") added the following points :

- (a) suitable sites for setting up CCCs would be identified in new public housing estate developments. The plan to provide about 100 additional aided long full-day child care places for children aged below three in Sha Tin Shek Mun Estate in 2018-2019 was one of the examples;
- (b) the Administration would invite those NGOs participating in the Special Scheme on Privately Owned Sites for Welfare Uses to consider establishing work-based CCCs when they were making use of their land for redevelopment, expansion or new development. Should NGOs plan to set up CCCs, in particular those for children aged below three, the Administration would provide support for the construction cost of the projects as appropriate. In effect, two NGOs had responded positively, proposing to provide a total of about 100 self-financing child care places in their projects; and
- (c) while the target service users of the 100 NGO-operated child care places at the proposed Government Complex in Tseung Kwan O were mainly staff members in the building, unused quota would be open for public use as appropriate.

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At the request of Mr LEUNG Kwok-hung and the Chairman, the Administration agreed to provide information on the feasibility study of setting up CCCs on existing vacant school premises.

18. In response to Mr POON Siu-ping's enquiry about the launching of the pilot project on Child Care Training for Grandparents, DDSW(S) advised that the two-year pilot project aimed at reinforcing family support between generations, enhancing child care to support women in fulfilling work and family commitments; as well as promoting active ageing of SWD was studying the proposals submitted by nine subvented NGOs (which were also training bodies appointed by the Employment Retraining Board for the relevant child and infant care training courses), with a view to selecting the relevant proposals for inclusion into the pilot project. It was hoped that the first batch of the training programmes with 540 places under the pilot project would commence service in March 2016. The target trainees were grandparents or grandparents-to-be of newborns to children aged below six. There would be no age limit or requirements of education level for the applicants. As support measures, NGOs operating the pilot project would also form mutual help groups or organize family activities for the participants during the training period.

Protection of female employees' rights and benefits

- 19. Referring to some deputations' request for abolishing the continuous contract requirement (the so-called "4-18 requirement") under the Employment Ordinance ("EO"), Mr POON Siu-ping sought an update on the progress of the review being undertaken by the Administration. Mr POON was of the view that abolition of the 4-18 requirement could safeguard the rights and benefits of part-time employees and thereby facilitating those women, who were engaged in household duties, to take up casual work.
- 20. <u>Miss CHAN Yuen-han</u> considered that the Administration should address two topical issues of public concern, namely, the 4-18 requirement and the long working hours situation, through legislative means so as to better protect employees' rights and benefits and thereby unleashing the potential female workforce. <u>Mr LEUNG Kwok-hung</u> echoed a similar concern and view. <u>Miss CHAN</u> appealed to members belonging to the Liberal Party to support legislating for standard working hours which could benefit the grassroots women as well as those engaged in specific professions.

- 21. <u>USLW</u> responded that the Labour Department ("LD") had conducted a review of the continuous contract requirement and several approaches had been put forward for deliberations by the Labour Advisory Board ("LAB"). As a matter of fact, LAB members had considered the issue at a number of its meetings since 2013. LAB members had consulted their respective employers' associations and employees' unions but a consensus on the approach was yet to be reached. <u>Mr POON Siu-ping</u>, however, remarked that the employer and employee representatives on LAB could hardly reach a consensus on the issue. The Administration's efforts in taking forward the issue with a specific timetable would be of critical importance.
- 22. Mr TANG Ka-piu informed members that he had handled a considerable number of complaint cases against unreasonable dismissal of female employees who returned to work upon expiry of their maternity leave and that a large proportion of complaints lodged with the Equal Opportunities Commission were related to violation of the Sex ("SDO"), Discrimination Ordinance in particular pregnancy discrimination in employment. Mr TANG enquired whether the Administration would consider strengthening the maternity protection under EO by extending the period of employment protection enjoyed by pregnant employees so that employers could not unreasonably dismiss employees say, within one year following the expiry of their employees' In his view, it would help secure the continuous maternity leave. employment of female employees after child delivery and enable them to stay in employment.
- 23. Assistant Commissioner for Labour (Employment Services) responded that the protection for pregnant employees was provided on two fronts. According to EO, a female employee employed under a continuous contract before the commencement of maternity leave was entitled to take such leave upon serving notice of pregnancy on her employer. The employer was generally prohibited from dismissing the employee during the period from the date on which her pregnancy was confirmed by a medical certificate to the date on which she was due to return to work on the expiry of her maternity leave. On the other hand, under SDO, it was unlawful for an employer of a Hong Kong establishment to subject a woman to a disadvantage or dismiss her on the ground of her pregnancy, including dismissal during pregnancy or upon return from maternity leave.

- 24. Mr TANG Ka-piu, however, expressed concern about the difficulties in instituting prosecutions against employers concerned under SDO. Mr TANG maintained the view that consideration should be given to strengthening employment protection after child delivery under EO. Miss CHAN Yuen-han shared a similar concern and view.
- 25. In concluding the discussion, the Chairman called on the Administration to take note of the concerns and views of members and deputations on the subject of women employment. The Chairman considered that apart from enhancing the child care services, it was equally important that the Administration should respond to the call from the labour sector in respect of formulating relevant labour legislation to better safeguard employees' rights and benefits, including abolition of the 4-18 requirement, and implement family friendly employment practices to encourage more women to join the labour market.

IV. The Construction Industry Recruitment Centre (LC Paper No. CB(2)859/15-16(06))

26. At the invitation of the Chairman, <u>Deputy Commissioner for Labour (Labour Administration)</u> ("DC for L (LA)") briefed members on the latest development of the Construction Industry Recruitment Centre ("CIRC") set up by LD, details of which were set out in the Administration's paper.

Provision of services

- 27. While expressing support in principle for the establishment of CIRC, Mr POON Siu-ping and Miss CHAN Yuen-han were concerned about its effectiveness of assisting attending job seekers in securing employment. Noting that 1 205 visitors had used various facilities and services of the newly opened CIRC as at the end of January 2016, Mr POON sought information on the number of successful job referrals. Miss CHAN considered that LD should undertake follow-up work of the job fairs organized at CIRC, including collecting statistical information on the success rate of job referrals/placements as well as conducting analysis on unsuccessful cases.
- 28. <u>Mr TANG Ka-piu</u> enquired about the distinct function of CIRC as compared with other LD job centres. Specifically, <u>Mr TANG</u> was concerned whether job-matching service was provided at CIRC. Drawing reference to the enhancement measures to SLS, which had been rolled out

since May 2015, in respect of allowing imported skilled workers to work across more than one public sector works project, Mr TANG said that the Hong Kong Construction Industry Employees General Union ("HKCIEGU") called on the Administration to consider, under a pilot scheme, providing similar arrangement for local construction workers or trainees of the Construction Industry Council ("CIC") upon completion of training, such that they could work across more than one construction project without breaks, say, within six months.

- 29. With respect to the subcontracting practice in the construction industry, under which construction workers relied on personal reference for employment, the Chairman enquired about the impact of CIRC's set-up on the practice.
- 30. In response to members' concerns and views, <u>DC for L (LA)</u> made the following points :
 - (a) over 90% of the vacancies advertized at LD's job centres, including those at CIRC, were open for direct application by job seekers. As job seekers who had found jobs through direct application were not required to report their placement positions to LD, information on these placements could not be captured. In addition, as employers normally adopted various means and channels concurrently for recruiting employees, there were practical difficulties in capturing the exact number of vacancies filled through LD's job fairs;
 - subcontracting practice was a complex issue in the (b) construction industry. Notably, for some traditional construction jobs, job search or recruitment relied on personal connections. This might limit the choices of job seekers and employers. It was hoped that CIRC could bring about a cultural change by offering an additional recruitment channel for the construction industry. CIRC provided employers and job seekers of the construction industry a free and user-friendly employment service platform. Employers, contractors and sub-contractors could organise job fairs and conduct on-the-spot interviews with job seekers. LD had been appealing to the trade associations, contractors and sub-contractors to actively place job vacancies and organise job fairs in CIRC and urging trade unions and CIC to encourage workers and trainees to find jobs through CIRC; and

- (c) whether a construction worker could work across more than one construction project would depend on the availability of employers with such vacancies. This suggestion would be relayed to CIC, the Hong Kong Construction Association, relevant labour unions (including HKCIEGU) and the Tripartite Committee on Construction Industry. With the setting up of CIRC, consideration was being given to requiring applicant employers under SLS for importing construction workers to conduct the local recruitment exercise at CIRC. Only employers facing genuine difficulties in finding suitable staff locally would be allowed to import workers.
- 31. <u>Miss CHAN Yuen-han</u> remained concerned that while a considerable number of local skilled workers sought employment in the construction industry, the employers deliberately refused to engage them but applied for importation of labour under SLS to fill the relevant vacancies. <u>Miss CHAN</u> was of the view that job-matching service should be provided at CIRC for job-seekers to fill such vacancies as appropriate. The Administration should also examine critically whether there was a genuine need for those employers to apply for importation of skilled labour in the construction industry under SLS.
- 32. <u>DC for L (LA)</u> responded that under the existing open recruitment process of SLS, LD would refer suitable local job-seekers for interviews by employers concerned and disseminate such vacancy information to training bodies and labour unions so that they could refer their trainees and members as appropriate for interviews. Only employers who were genuinely unable to recruit the required workers locally would be allowed to import workers under their SLS applications.
- 33. Assistant Commissioner for Labour (Employment Services) added that one of the special features of CIRC was that it provided a dedicated venue for employers, contractors and sub-contractors to organise job fairs and conduct job interviews. For job seekers who lacked the required skills, CIRC could help refer them to CIC for training and skills upgrading. Given that CIRC was co-located with CIC's Kowloon Bay Training Centre, it could foster closer cooperation with CIC to achieve better synergy of the services between LD and CIC. CIRC could also assist CIC trainees to find suitable construction jobs. Arrangements were also made for CIC trainees to visit CIRC and be briefed on its various employment services.

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- 34. <u>Miss CHAN Yuen-han</u> requested the Administration to provide the following information :
 - (a) the number of visitors using CIRC facilities and service, the number of job vacancies offered at CIRC's job fairs and the number of attending job seekers;
 - (b) the number of job vacancies from the construction industry;
 - (c) the number of construction job vacancies involved in the applications for importing labour under SLS.

[The Chairman informed members that the meeting would be extended by 15 minutes.]

Publicity

- 35. The Chairman was concerned about the Administration's publicity work in promoting the employment support services of CIRC among some 327 000 employed persons in the construction industry. To speed up the process for seeking jobs in the construction industry and reduce the need to attend job fairs at CIRC, the Chairman suggested LD strengthen its job-matching services by setting up a database on job-seekers with information on their skills and provide relevant vacancies information to them through instant messaging service. Mr TANG Ka-piu further suggested that mobile application on job search for construction job vacancies be developed. The Chairman expressed his support.
- 36. In reply, <u>DC for L (LA)</u> said that job-seekers who registered with LD's job centres would receive relevant employment information through instant messaging service. In addition, regardless of whether they had registered with LD's job centres, any job seekers could make use of the mobile application or newly-created dedicated construction webpage of LD's Interactive Employment Service round the clock to obtain information on construction job vacancies and job fairs to be organized at CIRC. <u>Senior Labour Officer (Employment Services) (Construction) of LD</u> added that LD had maintained close contact with industry stakeholders, and widely publicized the services and facilities of CIRC to employers' associations, contractors and subcontractors through different means to garner vacancies. On the other hand, LD also promoted CIRC services to construction workers through relevant trade unions and CIC's

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network of trainees, alumni and construction workers to make use of employment services at CIRC. With the support of DevB, works departments and the Housing Department, LD encouraged contractors and sub-contractors in the construction industry to recruit workers through CIRC and display posters of CIRC at construction sites of public works projects. CIRC services were advertized in different media and channels so that the promotional messages could reach out to employers, job seekers and the general public.

Employment support and services for ethnic minorities ("EMs")

- 37. Expressing concern about the employment difficulties of EMs in the construction industry, <u>Miss CHAN Yuen-han</u> requested the Administration to provide information on the employment support services for EMs, including measures to help EMs overcome the language barriers and the Administration's publicity efforts, in its discussion paper on the subject for the Panel meeting in March 2016.
- 38. There being no other business, the meeting ended at 7:07 pm.

Council Business Division 2
<u>Legislative Council Secretariat</u>
18 April 2016

Panel on Manpower

Meeting on Tuesday, 16 February 2016, at 4:30 pm Meeting to receive views on "Women employment"

Summary of views and concerns expressed by deputations

No.	Name of deputation	Submission / Major views and concerns
1.	Democratic Alliance for the Betterment and Progress of Hong Kong	 The provision of subsidized child care services in the community was severely inadequate to meet the service needs of different districts. The Administration should reserve sites for child care facilities in the development of new public housing estates so as to address the problems. The pilot "Modular Certificates Accumulation Scheme" offered by the Employee Retraining Board should be expanded to facilitate more trainees to make flexible study arrangements and acquire recognized qualifications.
2.	Democratic Party	• LC Paper No. CB(2)905/15-16(01)
3.	New People's Party	 The labour force participation rate ("LFPR") of females in Hong Kong was comparatively lower than that in other places of the world. While welcoming the Administration's efforts in increasing resources allocation for subsidized child care services in the community, it should further strengthen the service so as to facilitate women employment. The Administration should make reference to overseas practice in facilitating female homemakers in taking up part-time jobs by making use of information technology (e.g. mobile applications). The Administration should consider abolishing the continuous contract requirement (the so-called "4-18 requirement") under the Employment Ordinance so as to enhance the employment flexibility of women who could only take up casual work and were engaged under employment contracts with short duration or working hours because of family commitment, and to safeguard their employees' rights and benefits.
4.	Task Force on Foreign Helper's Problems of Liberal Party	 Site reservation for child care facilities in the community could be incorporated as a condition for sale of land. A large proportion of middle-class working females needed to engage foreign domestic helpers ("FDHs") to take care of their household duties. The Administration should strengthen its efforts in monitoring and regulating employment agencies ("EAs") placing FDHs. The Administration should consider stipulating a probation period for FDHs in the standard employment contract for FDHs. Moreover, employers should be allowed to settle full payment of intermediary fees with EAs upon FDHs' satisfactory completion of the probation period.

No.	Name of deputation	Submission / Major views and concerns
5.	Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB") Women Affairs Committee	 According to a survey conducted by DAB in 2015, 70% of female respondents were willing to join the labour force. Yet, 50% of them could not take up employment because of household duties of taking care of children and the elderly. The female LFPR in Hong Kong was far below that of other countries, such as France and Canada. The Administration should strengthen its support measures to unleash the female workforce, including adopting flexitime and providing more part-time options in addition to those low-skilled part-time jobs to facilitate women to pursue employment of their choice. The Administration should implement family friendly employment practices and support measures to help women achieve a balance between work and family life.
6.	Support Group for Hong Kong Employers with Foreign Domestic Helpers	• LC Paper No. CB(2)905/15-16(02)
7.	The Hong Kong Federation of Trade Unions Women Affairs Committee	• LC Paper No. CB(2)859/15-16(05)
8.	PathFinders	 A large proportion of females at their productive age engaged FDHs to take care of their children and household duties, which contributed to the increase in female LFPR in Hong Kong. Maternity rights for FDHs should be specified in the standard employment contract for FDHs. Protection for statutory minimum wage should be applicable to FDHs.
9.	Labour Party	 In the light of the overall long working hours situation in Hong Kong, the Administration should legislate for standard working hours with a view to removing the barriers which discouraged females from working. The Administration should squarely address the issue of disparity of income between male and female employees in the labour market and discontinue outsourcing of government services. The Administration should abolish the 4-18 requirement so as to ensure that the employees' entitlement of females who were engaged under employment contracts with short duration or working hours could be adequately safeguarded.

No.	Name of deputation	Submission / Major views and concerns
10.	Hong Kong Confederation of Trade Unions Women Affairs Committee	 A considerable number of female homemakers could not take up full-time employment because of the severe inadequate subsidized child care services and elderly care services. Consequent upon undertaking household duties, a considerable number of females could only take up casual work with short duration or working hours. Their employees' entitlements were inadequately safeguarded because of not meeting the continuous contract requirements. It was recommended to legislate for 7-day paid family leave and 14-week paid maternity leave.
11.	The Federation of Hong Kong and Kowloon Labour Unions	• LC Paper No. CB(2)905/15-16(03)

Council Business Division 2 <u>Legislative Council Secretariat</u> 18 April 2016