

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1474/15-16  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/MP

**Panel on Manpower**

**Minutes of meeting**  
**held on Tuesday, 15 March 2016, at 4:30 pm**  
**in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon KWOK Wai-keung (Chairman)  
Dr Hon CHIANG Lai-wan, JP (Deputy Chairman)  
Hon LEE Cheuk-yan  
Hon LEUNG Yiu-chung  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon CHAN Kin-por, BBS, JP  
Dr Hon LEUNG Ka-lau  
Hon WONG Kwok-kin, SBS  
Hon LEUNG Kwok-hung  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, 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
- Members attending** : Hon WONG Kwok-hing, BBS, MH  
Hon Frankie YICK Chi-ming, JP  
Hon Kenneth LEUNG
- Members absent** : Hon CHEUNG Kwok-che  
Hon IP Kwok-him, GBS, JP

**Public Officers attending** : 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)

Miss Cindy YIM Lai-kwan  
Senior Labour Officer (Employment Services)  
(Operation)  
Labour Department

Dr MA Chi  
Deputy Executive Director (Training Services)  
Employees Retraining Board

Professor Ronald CHUNG Chi-kit  
Deputy Executive Director (A)  
Vocational Training Council

Item V

Mr Jeff LEUNG Wing-yan  
Deputy Commissioner for Labour  
(Occupational Safety and Health)

Dr Raymond LEUNG Lai-man, JP  
Occupational Health Consultant (1)  
Labour Department

Dr Mandy HO Mang-yee, JP  
Occupational Health Consultant (2)  
Labour Department

**Attendance  
by invitation**

: Item IV

Democratic Alliance for the Betterment and Progress of  
Hong Kong

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Mr NGAN Man-yu  
Deputy Spokesperson on Manpower

Democratic Alliance for the Betterment and Progress of  
Hong Kong Ethnic Minorities Committee

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Mr CHENG Wing-shun  
Chairman

Civic Party

Mr SIN Ho-fai  
Member

Catholic Diocese of Hong Kong Diocesan Pastoral Centre  
for Workers (Kowloon)

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Mr LI Ka-shu  
Program Officer

AIM Group

Mr Shoaib Hussain  
Assistant Program Officer

Individual

Mr Idrees Mohammad

The Democratic Party

Mr AU Nok-hin  
Member of Central Committee

The Hong Kong Council of Social Service

Ms Lynn LAW  
Family & Community Service Officer

Liberal Party

Mr Michael LEE  
Representative

Hong Kong Unison

Ms Phyllis CHEUNG  
Executive Director

Individual

Mr Derek HUNG Chiu-wah  
Member of Yau Tsim Mong District Council

Individual

Mr MoHD Nawaz

EM Employment Concern Group

Ms Tamang Sujata

Baptist Oi Kwan Social Service

Mr LEUNG Chun-hong  
Training and Employment Service-in-charge

**Clerk in attendance** : Miss Betty MA  
Chief Council Secretary (2) 1

**Staff in attendance** : Ms Rita LAI  
Senior Council Secretary (2) 1

Ms Kiwi NG  
Legislative Assistant (2) 1

Miss Lulu YEUNG  
Clerical Assistant (2) 1

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*(The Deputy Chairman took the chair during the temporary absence of the Chairman.)*

**I. Confirmation of minutes of previous meeting**  
(LC Paper No. CB(2)1037/15-16)

The minutes of the policy briefing cum meeting held on 19 January 2016 were confirmed.

*(At this juncture, the Chairman resumed the chairmanship.)*

**II. Information papers issued since the last meeting**  
(LC Paper Nos. CB(2)991/15-16(01) and CB(2)1054/15-16(01))

2. Members noted that the following papers had been issued since the last meeting :

- (a) referral from the Public Complaints Office on issues relating to the Work Incentive Transport Subsidy ("WITS") Scheme; and
- (b) letter dated 26 February 2016 from Mr Kenneth LEUNG regarding his proposed Member's Bill entitled "Public Interest Disclosure Bill 2016".

3. With respect to paragraph 2(a) above, Mr TANG Ka-piu said that the Panel should discuss the review findings of the implementation of the WITS Scheme in May/June 2016. The Chairman advised that the subject was included in the Panel's list of outstanding items for discussion and the Administration intended to brief members on the results of the comprehensive review of the WITS Scheme in the second quarter of 2016.

4. In respect of paragraph 2(b) above, Mr Kenneth LEUNG said that his proposed Member's Bill sought to protect employees who made certain disclosures of information in the public interest. Mr LEUNG appealed to the Panel to discuss his proposed Member's Bill within the 2015-2016 legislative session. The Chairman suggested and members agreed that the Administration be requested to provide advice on the proposed Member's Bill. Members would then decide on whether and when the subject should be discussed by the Panel at a future meeting or

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whether the subject should be discussed at a joint meeting with other relevant Panel(s) after receiving the requisite information. In the meantime, the subject would be included in the Panel's "List of outstanding items for discussion".

**III. Date of next meeting and items for discussion**  
(LC Paper Nos. CB(2)1039/15-16(01) and (02))

Regular meeting in April 2016

5. Members agreed that the following items proposed by the Administration be discussed at the next regular Panel meeting on 19 April 2016 :

- (a) Major findings of the 2015 Annual Earnings and Hours Survey; and
- (b) Draft Code of Practice for Employment Agencies.

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

6. Mr TANG Ka-piu noted with concern that the review of the implementation of statutory PL had not been included in the major new and on-going policy initiatives to be undertaken by the Labour and Welfare Bureau ("LWB") and the Labour Department ("LD") in the 2016 Policy Address and Policy Agenda, although the Administration had previously advised that it would conduct a review on the implementation of the enacted legislation one year after its coming into operation in February 2015. Mr TANG, Mr WONG Kwok-hing, Miss CHAN Yuen-han, Mr SIN Chung-kai and the Chairman took a strong view that the Administration should revert to the Panel on the latest development regarding the review before June 2016. At the invitation of the Chairman, Deputy Commissioner for Labour (Labour Administration) ("DC for L (LA)") said that the Administration planned to revert to the Panel on the subject as early as practicable after having consulted the Labour Advisory Board. Miss CHAN suggested that the Panel should write to LWB on the matter. Members agreed.

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**IV. Employment support services for ethnic minorities**

(LC Paper Nos. CB(2)1039/15-16(03) and (04))

7. At the invitation of the Chairman, DC for L (LA) briefed members on the measures adopted by the Administration to support ethnic minorities ("EMs"), particularly those of South Asian origins, in employment, as detailed in the Administration's paper.

8. Members noted the background brief entitled "Employment support services for ethnic minorities" prepared by the Legislative Council ("LegCo") Secretariat.

Presentation of views by deputations/individuals

9. At the invitation of the Chairman, a total of 14 deputations/individuals presented their views on the employment support services for EMs. A summary of views of these deputations/individuals is in the **Appendix**.

Discussion

*LD's employment services*

10. Expressing concern about the relatively high poverty rate of EMs in Hong Kong, which was over 50% for Pakistanis and some 20% for other ethnic groups, Mr LEE Cheuk-yan and Miss CHAN Yuen-han considered that LD should strengthen its employment support services for EMs so as to alleviate such situation.

11. The Deputy Chairman pointed out that some EM job seekers considered the dedicated employment support services for EMs ineffective in helping them to seek employment, in particular the frontline staff at LD job centres could not communicate effectively with EM job seekers. The Deputy Chairman suggested that an EM Employment Division should be established in one of LD's job centres and manned by fluent English-speaking staff so as to provide dedicated employment support services for EMs. Mr POON Siu-ping called on the Administration to seriously consider setting up such a division to enhance its efforts in providing employment support services for EM job seekers.

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12. In response to the views and concerns of deputations and members, DC for L (LA) made the following points :

- (a) LD had set up special counters and resource corners at all the 13 job centres to provide job referral services and employment information for EM job seekers. EM job seekers could also meet employment officers at the special counters of any job centres to obtain personalized job search advice, information on job market, training/retraining courses, etc. in accordance with their individual needs;
- (b) LD piloted an "Employment Services Ambassador Programme for EMs" ("the ESA Programme") in September 2014, employing trainees of the Youth Employment and Training Programme ("YETP") who could communicate in EM languages as employment services ambassadors ("ESAs"). It helped LD enhance its employment services to job seekers, in particular EMs;
- (c) LD proactively provided follow-up services for all EM job seekers received at the special counters, such as referring them to the Employees Retraining Board ("ERB") or Vocational Training Council ("VTC") for appropriate language training and making suitable job referrals to those vacancies with little or no Chinese language requirements; and
- (d) the proposal of establishing an EM Employment Division in one of LD's job centres might not completely suit the needs of all EM job seekers who resided in various districts across the territory. Nevertheless, the suggestion would be further examined.

13. Mr LEE Cheuk-yan remained concerned about whether EM job seekers were aware of the provision of dedicated employment services for them. In his view, there should be designated EM employment officers to provide dedicated employment support services for EM job seekers in each of LD job centres. The Deputy Chairman echoed a similar view. At the invitation of members, Mr LI Ka-shu of Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (Kowloon) shared his experience of accompanying an EM job seeker to seek employment support services at a LD job centre. Mr LI said that the location of the



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special counter was not conspicuous and the assistance provided to the EM job seeker concerned by the employment officer was in fact general employment information for all job seekers. Expressing grave concern about such situation and the awareness of EMs of the dedicated employment services, Mr LEE Cheuk-yan sought more information on the details of the provision such services.

14. DC for L (LA) responded that all dedicated employment services for EM job seekers were provided by designated employment officers who were degree holders and could communicate effectively in English. With a view to protecting the privacy of service users, all counters providing personalized employment services including the special counters for EM were partitioned and separated from the service lobby where the general public could have free access to the various self-service facilities. Interpretation services would also be arranged for job seekers who were not proficient in Chinese and English.

15. Mr TANG Ka-piu expressed concern about the difficulties encountered by EMs in using LD's employment services because of language barrier. Specifically, most of the employment information, including job vacancies, was displayed in Chinese only and interpretation service would be arranged for EM job seekers only upon request.

16. Mr LEUNG Kwok-hung was of the view that EM job seekers, who were local residents, should have equal access to job opportunities in the labour market unless Chinese proficiency was considered a prerequisite for certain vacancies.

17. DC for L (LA) advised that posters regarding the provision of interpretation services to job seekers were displayed in all LD job centres. In addition, promotional leaflets on LD's employment services had been translated into English and six EM languages. ESAs of the ESA Programme also helped EM job seekers use the various facilities and services of LD job centres. As regards employment information, Assistant Commissioner for Labour (Employment Services) ("AC for L (ES)") added that key information of all job vacancies, such as job title, industry, working hours, salary, workplace, educational requirements and application procedures was translated and displayed bilingually on the iES website, its mobile application and vacancy search terminals to facilitate EMs to browse vacancy information. LD was also progressively devising pre-translated sample duty lists of different posts to facilitate employers to provide the relevant information in Chinese and English simultaneously when submitting vacancy orders through the iES

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website. At the moment, the dedicated webpage for EM on the iES website posted some 2 000 job vacancies with little/ no Chinese language requirements, of which more than 1 000 such vacancies were with no Chinese language requirements.

18. Mr TANG Ka-piu sought further information on the Administration's efforts in encouraging employers to relax the language requirements so as to enable more EMs to apply for their vacancies. AC for L (ES) said that when submitting vacancy orders to LD, employers were advised repeatedly to consider critically the genuine occupational requirements of the vacancies when specifying the language requirement and were reminded of the need to comply with the relevant provisions under the anti-discrimination ordinances. LD staff would also ask relevant employers who advertised their vacancies through LD to consider relaxing the language requirement of job vacancies, particularly for those low-skilled jobs, as appropriate.

19. Mr POON Siu-ping enquired whether consideration would be given to extending the six-month training period and increasing the number of ESAs under the ESA Programme. Miss CHAN Yuen-han raised a similar concern. DC for L (LA) said that LD had so far engaged a total of 63 ESAs since the launch of the ESA Programme in September 2014. With the setting up of the Construction Industry Recruitment Centre, additional ESAs had been recruited to help provide employment services for EM job seekers in the Centre. Having regard to the objective of the ESA Programme of enabling the trainees to gain local working experience and enrich their personal credentials for seeking employment in the open market, it was considered that the on-the-job training period of six months was appropriate and it would benefit more trainees to participate in the ESA Programme.

*Training needs of EM job seekers*

20. Miss CHAN Yuen-han expressed grave disappointment at the ineffective employment support services provided by LD to EM job seekers over the years. Specifically, EM job seekers still encountered great difficulties in making use of LD's employment support services and seeking employment because of language barrier. Miss CHAN said that consideration could be given to making reference to the Apprenticeship Scheme run by VTC years ago and providing apprentice training to young EM job seekers in designated trades and industries.

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21. Given the importance of Chinese proficiency in workplace communication, the Chairman considered that EMs should be provided with suitable environment conducive to their development of the Chinese language ability. The Chairman enquired whether LWB and LD had worked in collaboration with the Education Bureau ("EDB") to improve EM students' language ability so as to facilitate their career pursuit in future.

22. In response, DC for L (LA) said that LD had all along been providing employment support services to EM job seekers to enhance their employability, in particular the language ability, through training bodies such as ERB and VTC. The channels for on-going dialogue with various relevant organizations such as religious bodies, service centres, schools and consulates had also been established for LD to gain a better understanding of the employment needs of EMs. To his understanding, EDB planned to offer some vocational Chinese programmes for non-Chinese-speaking ("NCS") persons. DC for L (LA) pointed out that in a predominantly Chinese society, the ability to communicate in Chinese in the workplace was essential for many jobs.

23. Deputy Executive Director (Training Services) of ERB advised that ERB had been offering vocational Cantonese courses as well as Chinese reading and writing courses for eligible employees in Hong Kong of non-Chinese origin. In addition, it was planned to offer some Putonghua courses. She added that a dedicated working group had been set up to conduct a review of the provision of training courses with focus on devising systematic language training courses by making reference to the specifications of Generic (Foundation) Competencies developed by EDB under the Qualifications Framework Levels 1 to 3.

24. Deputy Executive Director (A) of VTC pointed out that VTC offered different language courses to NCS youth and adults to meet their training needs. In 2015-2016, VTC offered eight courses on vocational Chinese, Cantonese, Chinese reading and writing and Putonghua. The estimated number of NCS students enrolled into these programmes was around 300.

25. The Chairman, however, remained concerned about the follow-up support given to EMs in further developing their language ability upon completion of the language courses.

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26. Acknowledging EMs' contribution to the Hong Kong society, Mr POON Siu-ping was of the view that the Administration should enhance the provision of employment support services to EM job seekers. Noting that ERB reserved 800 training places under 31 dedicated training courses for EMs in 2015-2016, including 11 full-time placement-tied training courses, Mr POON sought information on the employment status of those EMs who had completed the full-time placement-tied training courses.

27. In response, Deputy Executive Director (Training Services) of ERB advised that EMs on completion of placement-tied training courses were provided with a six-month placement follow-up service to help them land on jobs. The placement rate of these trainees was 52%. For 2015-2016, 60 EMs had enrolled on the full-time placement-tied training courses as at January 2016.

28. Mr YICK Chi-ming called on LD to approach the respective heads of the religious bodies of EMs and appeal to their support to encourage EMs to learn Chinese, which was crucial to seeking employment in local labour market. Citing the experience of the first taxi driver of South Asian origin who had undergone relevant training with support from the transport industry, Mr YICK said that appropriate training could facilitate EMs to reinforce their job skills. The logistic sector in collaboration with ERB was making similar efforts in enhancing the language ability of EM employees. It was hoped that this would have a demonstration effect to other sectors. Mr YICK was concerned about the Administration's support in this regard.

29. DC for L (LA) advised that job centres had been maintaining close contact with EM religious bodies, such as Kowloon Mosque and Islamic Centre and Islamic Union of Hong Kong, in disseminating updated employment information to EMs regularly and encouraging them to refer EMs with employment needs to LD for employment services. As regards support for employers, DC for L (LA) said that employers were provided with training allowance to encourage them to engage unemployed job seekers with employment difficulties (including EMs) and provide them with on-the-job training under various employment programmes, such as the Employment Programme for the Middle-aged and YETP.

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*Services by Construction Industry Council ("CIC")*

30. With respect to the "EMs Skills Enhancement Course - Pilot Scheme" rolled out by CIC in December 2015 to provide 60 training places, Mr POON Siu-ping and Miss CHAN Yuen-han sought information on the progress of the Pilot Scheme. AC for L (ES) responded that 12 EMs were receiving training under the Pilot Scheme and the remaining training places would be offered in 2017. Miss CHAN called on the Administration to work in collaboration with non-governmental organizations ("NGOs") serving EMs to attract more EM new entrants into the construction industry. DC for L (LA) said that the Administration had all along been working in collaboration with EDB, ERB, VTC as well as NGOs serving EMs to provide support to EMs to improve their employability.

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31. In concluding the discussion, the Chairman requested the Administration to provide information/response to the following :

- (a) all job vacancies suitable for EM job seekers should be displayed bilingually as far as practicable to facilitate EMs to browse vacancy information;
- (b) LD to follow up on the job search progress of EM job seekers;
- (c) success rate of EM job seekers finding employment through LD's services;
- (d) soliciting assistance from heads of EM religious bodies and communities to disseminate LD's employment information to EMs; and
- (e) providing EMs with assistance in their career planning.

32. The Chairman put the following motion moved by the Deputy Chairman and seconded by Mr POON Siu-ping to vote :

"本事務委員會要求政府於勞工處轄下一個就業中心設立少數族裔就業科，聘用能操流利英語的少數族裔職員為非華語人士提供就業支援服務。"

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(Translation)

"That this Panel requests the Government to establish an Ethnic Minorities Employment Division in one of the job centres of the Labour Department, at which fluent English-speaking ethnic minorities staff are employed to provide employment support services for non-Chinese-speaking people."

Eight members voted for the motion, and no member voted against it or abstained from voting. The Chairman said that all members present unanimously voted for the motion and declared that the motion was carried.

**V. Occupational diseases and occupational health performance in 2015**

(LC Paper Nos. CB(2)1039/15-16(08) and (09))

33. At the invitation of the Chairman, Deputy Commissioner for Labour (Occupational Safety and Health) ("DC for L (OSH)") briefed members on the occupational diseases and occupational health situation in Hong Kong in 2015, and the related promotion and enforcement work of LD, as detailed in the Administration's paper.

34. Members noted the updated background brief entitled "Occupational diseases and occupational health performance in Hong Kong" prepared by the LegCo Secretariat.

Occupational diseases

35. The Deputy Chairman was concerned that practitioners in various industries suffered from work-related musculoskeletal disorders, such as adhesive capsulitis and shoulder-neck pain, which were not covered in the list of 52 occupational diseases as prescribed in the relevant ordinances. The Deputy Chairman sought clarifications about the criteria for prescribing certain diseases as an occupational disease.

36. DC for L (OSH) advised that according to the International Labour Organization ("ILO"), occupational diseases were diseases having specific or strong relationship with occupations, generally with only one causal agent. In considering whether certain diseases should be prescribed as occupational diseases or whether the coverage of some occupational diseases should be expanded in Hong Kong, LD made

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reference to ILO criteria and took into consideration whether a causal relationship existed between the disease and the type of work, including whether there was medical evidence proving a significant relationship between the disease and certain occupation, as well as the local pattern of the disease.

37. Noting that there were 13 confirmed cases of mesothelioma in 2015, Mr POON Siu-ping was concerned whether there was a rising trend of the occupational disease. Mr POON asked whether the Administration had conducted an assessment in this respect.

38. Occupational Health Consultant(1)/LD responded that the numbers of confirmed cases of mesothelioma from 2011 to 2015 were 13, 12, 17, 14 and 13 respectively, which were considered to be stable. However, having regard to the use of asbestos containing materials in the past years and the fact that the latent period of mesothelioma could be as long as 30 to 40 years, it was expected that the number of new confirmed cases might increase in the coming years. In effect, following the coming into operation of the amendments of the Factories and Industrial Undertakings (Asbestos) Regulation ("the Regulation") (Cap. 59AD) in 2014, work with any type of asbestos in industrial undertakings was prohibited, with the exception of removal and disposal of asbestos which needed to be conducted by registered asbestos contractors in accordance with the Air Pollution Control (Amendment) Ordinance, the requirements of the Regulation and the relevant codes of practice. LD would conduct inspections to the relevant worksites to ensure that relevant work was performed by contractors in compliance with the legal requirements so as to safeguard the occupational health of workers.

Occupational health of container terminal workers

39. Mr TANG Ka-piu referred members to a complaint lodged by the Union of Hong Kong Dockers with the LegCo Public Complaints Office regarding rest break arrangement for crane operators at the container terminals. It was pointed out that as compared with employees directly engaged by the terminal service operators, those workers engaged by outsourced service contractors worked for longer hours with insufficient rest breaks. Moreover, gantry crane operators had to maintain the same posture of bending forward for several hours when handling containers and thereby they had been suffering from repetitive neck and back strain. There were also complaints that LD staff had not conducted thorough inspections to container yards upon receipt of relevant complaints.

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40. Mr POON Siu-ping was concerned that crane operators' musculoskeletal disorders such as low back pain and shoulder-neck pain resulting from prolonged hours in controlling the lifting and lowering of containers were not prescribed as an occupational disease. Mr POON called on the Administration to revisit the issue.

41. In response, DC for L (OSH) made the following points :

- (a) LD had since 2014 conducted frequent inspections to container yards in respect of OSH of container terminal workers. As regards the rest situation, it was noted that both gantry crane and quay crane operators could opt for having one-hour unpaid meal time or 15-minute paid meal time after working for a period of time. Besides, in general, they could have rest break intermittently, totalling around 10 to 12 minutes per hour, after handling a number of containers or while waiting for container trucks; and
- (b) LD had been urging service operators to implement improvement measures to protect the occupational health of the crane operators, including improving working posture and work practice of the crane operators, as well as providing necessary information, instructions, training and supervision to the crane operators. To facilitate the service operators in implementing the improvement measures, LD also provided them with recommendations on improving the working posture and work practice of the crane operators. In effect, the service operators had provided crane operators with guidelines and organized stretching exercises and briefings to guide them to adopt the proper working posture and work practice.

42. Mr TANG Ka-piu enquired about the feasibility of installing monitors of industrial television in the crane cabins to facilitate gantry crane operators' control of lifting and lowering of containers without the need of bending forward to observe the containers placed underneath, thereby better safeguarding the occupational health of crane operators. DC for L (OSH) advised that to his understanding, such cranes with remote control were used in some container yards with suitable geographical conditions. DC for L (OSH) added that the design of cranes including the operators' seats was in compliance with the international OSH standards and requirements.



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43. Mr POON Siu-ping expressed concern about the impact of pollutants caused by emissions from vessels at container terminals on the occupational health of workers. To his knowledge, some workers had complained about the unpleasant smell even after having closed the windows of the crane control cabins. Miss CHAN Yuen-han raised a similar concern. Mr POON sought information on the inspections conducted by LD to observe the working conditions of quay crane operators and measure the level of air impurities inside crane control cabins.

44. DC for L (OSH) responded that LD attached great importance to OSH of container terminal workers. From 2014 to February 2016, LD had conducted 13 inspections to measure the level of air impurities inside the control cabins when the quay crane operators were at work, and 10 inspections to observe the emissions from vessels. The measurement results showed that the levels of nitrogen dioxide, carbon monoxide, sulphur dioxide and dust were far below the relevant legal limits in Hong Kong, which were comparable to the international standards, and the health risk of vessel emissions to the crane operators was considered to be low. DC for L (OSH) said that to improve air quality and reduce emissions from vessels, the Environmental Protection Department ("EPD") had since 1 July 2015 introduced the Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation (Cap 311AA), which required ocean-going vessels to use low sulphur fuel while berthing in Hong Kong. Monitoring data collected from EPD's Kwai Chung general air quality monitoring station showed an improvement in air quality which was considered to be related to the implementation of the air quality improvement measures and the favourable meteorological conditions for dispersion of air pollutants in 2015. LD would continue to monitor and follow up the implementation of improvement measures by the proprietors of container terminals.

Occupational health of construction workers

45. Miss CHAN Yuen-han expressed concern about the risk of heat stroke to construction workers during the hot summer. Noting that a 15-minute rest break in the morning had been recommended for construction site workers during the hot summer months, Miss CHAN asked whether the arrangement was fully implemented in all construction sites and whether there was similar arrangement in the afternoon.

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46. DC for L (OSH) clarified that the 15-minute rest break in the morning arranged for construction site workers was in effect an extra rest break in addition to the 30-minute rest break in the afternoon to prevent heat stroke at work as recommended by CIC under the "Guidelines on Site Safety Measures for Working in Hot Weather" issued in 2013. This arrangement was implemented in all construction sites. LD conducted some 30 000 inspections to construction work sites in May to September in 2016 to check compliance with the requirement. It was noted that contractors of construction works had followed the guidelines to provide an extra 15-minute rest break for workers.

Occupational health of Information technology ("IT") practitioners

47. Pointing out that prolonged use of computer at work would over-strain IT practitioners' eye, neck and shoulder, the Deputy Chairman was concerned that such work-related musculoskeletal disorders were, however, not categorized as occupational diseases. She enquired about how the occupational health of IT practitioners could be safeguarded.

48. DC for L (OSH) advised that occupational diseases specified in the relevant ordinances were diseases having specific or strong relationship with occupations, and generally with only one causal agent. However, strain of eye, neck and shoulder might result from various risk factors, such as personal habits and age, and were not limited to employees in a certain occupation. As regards the occupational health of IT practitioners, LD staff conducted regular workplace inspections and made recommendations to employers in respect of proper set-up and use of computer. The Deputy Chairman called on the Administration to enhance its efforts in publicizing how employers could safeguard the occupational health of IT practitioners.

49. The Chairman asked about the number of prosecutions instituted against employers for violation of the Occupational Safety and Health (Display Screen Equipment) Regulation. Pointing out that construction workers were arranged by their employers to do some warm-up stretching exercises before commencing work so as to reduce potential work injury, the Chairman considered that similar arrangement could be made for IT practitioners so as to prevent them from sustaining musculoskeletal disorders.

50. DC for L (OSH) shared the Chairman's suggestion of encouraging IT practitioners to do some stretching exercises at regular intervals so as to mitigate musculoskeletal strain. That said, it would be more flexible

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for employers concerned to make appropriate arrangements befitting their unique situations to enhance their employees' OSH in light of the operation of individual industries. At the Chairman's request, DC for L (OSH) said that LD staff would collect information as appropriate on whether IT practitioners would do stretching exercises for the purpose of safeguarding OSH when conducting workplace inspections.

*[The Chairman directed that the meeting would be extended by 15 minutes.]*

Clinical consultation service of occupational health clinics ("OHCs")

51. Mr TANG Ka-piu noted with concern that it would take one to two months for employees to make the first appointment for seeking clinical consultation at either OHC in Kwun Tong and Fanling. Mr TANG asked whether the Administration would consider setting up another OHC, say, in Kowloon West, New Territories West or the Hong Kong Island, so as to meet the service needs. Miss CHAN Yuen-han shared a similar concern.

52. DC for L (OSH) responded that demand for clinical consultation service would be one of the considerations for the establishment of another OHC. According to the statistics kept by LD on the usage of OHCs, the average waiting time for new cases at Fanling OHC and Kwun Tong OHC was two weeks and six weeks respectively in 2015, which was considered acceptable. Moreover, efforts were being made to advance an appointment should a vacant slot become available at an earlier date because of cancellation of a scheduled appointment. The Administration would closely monitor the usage of OHCs, and would make appropriate adjustments if necessary.

53. While tenosynovitis of hand or forearm was prescribed as an occupational disease under the Employees' Compensation Ordinance (Cap. 282) ("ECO"), Mr POON Siu-ping expressed concern that strain of lower limbs was not treated in the same manner. With respect to some 9 000 clinical consultations provided by OHCs in 2015, Mr POON sought information on the number of new cases involving strain of lower limbs and whether such cases were work-related. DC for L (OSH) said that OHCs provided more than 9 000 clinical consultations in 2015, which included new cases of musculoskeletal disorders and their follow-up consultations. DC for L (OSH) agreed to provide the requisite information, if available, after the meeting.

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Other issues

54. Mr TANG Ka-piu expressed concern that there had been cases in which employers concerned had declined their employees' requests for emergency ambulance service while at work, and such delay had resulted in dire consequence. Mr TANG asked about the responsibility and liability of employers concerned under such circumstances. DC for L (OSH) advised that the employers should provide assistance as appropriate to employees who were in need of emergency ambulance service. Mr TANG called on the Administration to seek legal advice on the liability of employers if necessary and enhance its publicity efforts in this regard.

55. Noting that self-employed persons were currently not covered under ECO, the Deputy Chairman enquired whether the Administration would consider setting up a compensation fund for these persons so as to provide support for their livelihood in the event that they sustained work injuries. Mr TANG Ka-piu expressed support. DC for L (OSH) said that while the suggestion would be looked into as appropriate, it should be noted that unlike a regular employee, a self-employed person had greater control on the OSH risk he/she was exposed to.

56. There being no other business, the meeting ended at 7:16 pm.

Council Business Division 2  
Legislative Council Secretariat  
11 May 2016

## Panel on Manpower

Meeting on Tuesday, 15 March 2016, at 4:30 pm  
Meeting to receive views on "Employment support services for ethnic minorities"

## Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation/individuals	Submission / Major views and concerns
1.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> <li>● The Labour Department ("LD") should launch more schemes similar to "Employment Services Ambassador Programme for Ethnic Minorities ("EMs")" to enhance its employment services to the young generation of EMs.</li> <li>● LD should set up hotlines in various ethnic languages to provide employment information to enable EM job seekers to overcome their language barrier and better understand their employment rights.</li> <li>● LD should organize workshops/courses on job search skills for EM job seekers to enhance their understanding of the job market and increase their employment opportunities.</li> </ul>
2.	Democratic Alliance for the Betterment and Progress of Hong Kong Ethnic Minorities Committee	<ul style="list-style-type: none"> <li>● LC Paper No. CB(2)1039/15-16(05)</li> </ul>
3.	Civic Party	<ul style="list-style-type: none"> <li>● LC Paper No. CB(2)1137/15-16(01)</li> </ul>
4.	Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (Kowloon)	<ul style="list-style-type: none"> <li>● LC Paper No. CB(2)1039/15-16(07)</li> </ul>
5.	AIM Group	<ul style="list-style-type: none"> <li>● EMs had great difficulties in getting access to LD's employment services because of language barrier. Most of the job vacancy information was in Chinese. Frontline staff of LD's job centres lacked sensitivity and communications skills to deal with EM job seekers. EM job seekers could hardly have the opportunities to meet the employment officers.</li> <li>● A dedicated division for EM job seekers should be set up in LD for provision of holistic employment services. Also, LD should make efforts in enhancing local employers' understanding of the work ability of EM job seekers and thereby increasing their employability.</li> </ul>

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6.	Mr Idrees Mohammad	<ul style="list-style-type: none"> <li>● It had been increasingly difficult for EMs to get a decent job in Hong Kong because of lack of proficiency in Chinese.</li> <li>● The job search experience in LD's job centre was frustrating. Most job vacancy information was displayed in Chinese. Concerns were raised about the follow-up and job-matching services for job search.</li> <li>● Statistical information on the number of job vacancies for EMs and success rate of job-matching services in 2015 was sought.</li> </ul>
7.	The Democratic Party	<ul style="list-style-type: none"> <li>● LC Paper No. CB(2)1137/15-16(02)</li> </ul>
8.	The Hong Kong Council of Social Service	<ul style="list-style-type: none"> <li>● The relatively high poverty rate of EM households with children was attributed to EMs' low proficiency of Chinese. As a result, their choice of work types was limited and earnings were low.</li> <li>● The Education Bureau and the Employees Retraining Board should offer more recognized Chinese courses to EMs so as to enhance their Chinese proficiency, thereby increasing their employability.</li> <li>● LD should ensure EM job seekers to have equal access to job opportunities. To improve communications with EM job seekers, LD should recruit EMs to work in the job centres. Training should be provided to LD staff to enhance their understanding and sensitivity of the specific needs of EMs. Frontline staff should proactively arrange interpretation services for EM job seekers.</li> </ul>
9.	Liberal Party	<ul style="list-style-type: none"> <li>● While the high poverty rate of EMs could best be addressed by employment, EMs had great difficulties in finding a job because of lack of proficiency in Chinese, in particular Cantonese. The tradition and culture of EMs, which did not encourage them to reach out in the community, further made it difficult for them to learn Chinese.</li> <li>● LD should approach the respective heads of the ethnic groups in Hong Kong so as to better understand EMs' employment needs and culture, and thereby providing appropriate employment support services.</li> <li>● It was understood that employers in the transport industry were willing to recruit EM job seekers, such as taxi drivers.</li> </ul>
10.	Hong Kong Unison	<ul style="list-style-type: none"> <li>● LC Paper No. CB(2)1060/15-16(01)</li> </ul>

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11.	Mr Derek HUNG Chiu-wah, Member of Yau Tsim Mong District Council	<ul style="list-style-type: none"> <li>● In providing employment support services for EMs, LD should give due consideration to EMs' employment ability and whether they could have equal access to employment opportunities in the job market.</li> <li>● The language ability of EMs, which greatly affected their employment opportunities, was related to the education policy and provision of retraining courses offered by the Employees Retraining Board.</li> <li>● The Administration should make efforts in ensuring that EMs would have equal employment opportunities in the civil service. Large enterprises and organizations should also provide job opportunities to EMs.</li> </ul>
12.	Mr MoHD Nawaz	<ul style="list-style-type: none"> <li>● Mr MoHD, who preferred to work to sustain his living and be self-reliant, had approached LD for employment support services but had been advised to contact the employers direct. He could not find a job because of not being able to speak fluent Cantonese and had not been in employment for almost two years.</li> <li>● Mr MoHD appealed to the Administration to enhance its efforts in providing employment support services to EMs.</li> </ul>
13.	EM Employment Concern Group	<ul style="list-style-type: none"> <li>● Members of the deputation had not been provided with effective interpretation services when they visited LD's job centres.</li> <li>● LD job centres had not proactively followed up on job search cases of EM job seekers.</li> <li>● LD should enhance its job-matching service for EMs.</li> </ul>
14.	Baptist Oi Kwan Social Service	<ul style="list-style-type: none"> <li>● LD should enhance its efforts in publicizing the job vacancies suitable for EMs.</li> <li>● The Administration should take the lead in recruiting EMs in the civil service so that the private sector could follow suit.</li> <li>● The Administration should consider converting the employment of young EMs under the Employment Services Ambassador Programme for EMs into a recurrent programme so as to provide employment support for EM job seekers in various districts.</li> </ul>