

For information
on 19 January 2016

Legislative Council Panel on Manpower
2016 Policy Address
Policy Initiatives of the Labour and Welfare Bureau

Purpose

The Chief Executive (CE) delivered his 2016 Policy Address on 13 January 2016. This paper sets out the latest developments of the major new and on-going initiatives pertaining to the labour and manpower portfolio to be undertaken by the Labour and Welfare Bureau (LWB) and the Labour Department (LD) as set out in the 2016 Policy Address and Policy Agenda.

Policy priorities / New initiatives

2. Manpower is Hong Kong's most precious resource and the cornerstone for our continued social and economic development. To tackle the challenges brought by changes in the demographic characteristics, LD will continue to provide employment services to meet the various needs of job seekers; and strengthen its employment support to mature persons. In striving to unleash the potential of local labour force, we are actively promoting family-friendly employment practices. In addition, on the premise of striking a reasonable balance between the interests of employees and the affordability of employers, the Government will continue to gradually enhance the employment standards and to improve the rights and benefits of employees. We will accordingly carry out the following new initiatives set out in paragraphs 3 to 16 below.

Promoting employment and providing employment support

Setting up a dedicated employment information e-platform for job seekers with higher education

3. As pointed out in the report on population policy published by the Government in January 2015, it is imperative for Hong Kong, in

addition to nurturing local talent, to adopt a proactive approach to attract and bring in professionals from around the world to work here to meet the huge demand for talent to support the development of Hong Kong's high value-added industries. To strengthen employment support for persons with higher education, in particular Hong Kong students who are educated in overseas tertiary institutes, the second generation of Hong Kong emigrants who are interested in working in Hong Kong, as well as persons from overseas with higher academic/ professional qualifications, LD will set up a dedicated employment information e-platform incorporating an on-line interactive forum in around the fourth quarter of 2016. The e-platform aims to enhance their understanding of the Hong Kong labour market as well as facilitating them to search and apply for suitable job openings through the new webpage.

4. LD will collaborate with relevant bodies such as career service centres and student associations of overseas universities or colleges, as well as the Government's Hong Kong Economic and Trade Offices overseas to publicise the services of the dedicated employment information e-platform to overseas persons with higher educational attainment. Local job seekers with higher academic qualifications can also use this platform.

Enhancing the counselling support service for job seekers with disabilities

5. LD provides personalised employment services to job seekers with disabilities fit for open employment and help them find suitable jobs. To strengthen the employment support for job seekers with disabilities, LD will engage a non-governmental organisation under a pilot scheme to help job seekers in need of counselling service to provide in-depth psychological / emotional counselling service.

Providing retraining courses and support services for different social groups

6. The Employees Retraining Board (ERB) has been providing training courses and support services for different social groups. In 2016-17, ERB will focus on social groups with special needs in the development of courses and services. For example, ERB will continue to conduct training courses for mature persons and on a pilot basis, to continue training courses in the support centres for ethnic minorities and extend the "Modular Certificates Accumulation System" to cover other

in-demand programmes to allow trainees (in particular female trainees) who are unable to pursue full-time courses owing to work or family commitments to make flexible arrangements for further studies and acquire recognised qualifications. ERB will also, as a pilot project, set up a “Smart Starter” each in Kowloon East and Kowloon West in 2016-2017. “Smart Starter” is a part-time job referral platform which will provide registration, vacancy referral and follow-up services for new arrivals who have completed the relevant ERB courses. It is expected that under the pilot project a total of 2 000 trainees can be successfully placed into part-time jobs in the first year.

Safeguarding Employees’ Rights and Benefits

Pursuing the work of the Standard Working Hours Committee

7. Since its establishment in April 2013, the Standard Working Hours Committee (SWHC) has worked at full steam. The Government last reported SWHC’s work progress and deliberations, as well as its subsequent work directions, to this Panel on 15 December 2015.

8. SWHC plans to further consult the stakeholders and relevant organisations shortly to collect views on the working hours policy directions. These views will be taken into account by SWHC in the preparation of its report. Upon receipt of SWHC’s report, the Government will carefully consider its recommendations in a holistic manner.

Improving work injury protection for employees in high-risk industries

9. An inter-departmental working group, convened by LD, has completed an internal study on the existing protection afforded to injured employees. A task force comprising representatives of relevant bureaux/ departments and public bodies will be set up to explore the proposals put forward by the working group, consult stakeholders about relevant issues in a timely manner, and implement the agreed measures one by one once they are ready so as to improve protection for injured employees in high-risk industries in relation to insurance, compensation for work injuries and therapy / rehabilitation services.

Further safeguarding the safety of workers conducting work-at-height

10. LD will further promote safety measures on working at height to contractors and workers through collaboration with trade associations, workers' unions, professional bodies, related organisations and other government departments. These measures include:

- (a) using standard-conforming working platforms and avoiding the use of ladders for work above ground; and
- (b) the use of safety helmets with chin straps.

11. In addition, LD will, jointly with the Occupational Safety and Health Council (OSHC), enhance the collaboration with trade associations and workers' unions to promote the "SME Sponsorship Scheme for Fall Arresting Equipment for Renovation & Maintenance Work and Construction Industry" to the small and medium-sized contractors. LD will also further promulgate the importance of using safety helmets with chin straps to trade associations and workers' unions and explore ways to encourage proper use of this kind of helmets by workers.

12. LD also plans to step up the promotion of repair and maintenance work safety to the property management sector. In close collaboration with property management companies, LD will further enhance the promotion of work-at-height safety. LD will continue to collaborate with the stakeholders to organise safety talks and seminars. Through the Committee on Construction Safety of the Construction Industry Council (CIC) and the relevant task forces formed thereunder, LD will explore with industry stakeholders on ways to foster safety culture and implement measures to eliminate the hazards of work-at-height, including the formulation of industry guidelines.

Tightening the regulation of employment agencies (EAs)

13. LD regulates the operation of EAs through licensing, conducting regular and surprise inspections, conducting complaint investigations, as well as taking out prosecution against violators. LD has, in the past two financial years, increased the manpower to conduct more inspections to EAs, from the previous 1 300 inspections to 1 800 each year (representing a 38% increase).

14. To strengthen the regulation of EAs and to further protect the rights of job seekers (including foreign domestic helpers (FDHs)) and employers, LD is preparing a Code of Practice (the Code) for the industry. The Code will set out the statutory requirements that EAs should take note during their operation, acts that the EAs should avoid (e.g. EAs should not be involved in the financial or loans affairs of FDHs), as well as good practices. The Government plans to produce a draft Code by the end of March 2016 for consultation with the industry and other stakeholders.

15. To promote better understanding among FDHs, FDH employers and EAs, LD is preparing a leaflet to list out points to note by the FDHs, employers and EAs. Once completed, the leaflet will be widely distributed to FDHs, employers and EAs.

16. Separately, the Government has been strengthening collaboration with Consulates-General (CGs) of the Philippines and Indonesia, where most of our FDHs come from, whereby an inter-departmental regular liaison mechanisms has been set up with each CG to exchange information and coordinate promotional efforts. Since mid-2014, LD staff have been regularly attending the briefings for newly-arrived FDHs organised by the CGs of the Philippines and Indonesia so as to brief the newly-arrived FDHs on their employment rights and benefits. LD has also requested the relevant CGs to arrange screening of LD's publicity videos on FDHs' rights in their home countries before the FDHs depart for Hong Kong, and will continue to distribute information packs containing government pamphlets and guidebooks on employment rights to the newly-arrived FDHs at the Hong Kong International Airport through a non-governmental organisation so that the FDHs could learn about their rights immediately upon arrival. The Government will continue with its publicity and educational efforts to further enhance the FDHs' awareness of their employment rights and channels of seeking redress.

On-going initiatives

17. Apart from the aforementioned policy priorities/ new initiatives, LWB and LD will continue to carry out the on-going initiatives in areas of promoting employment, vocational training, safeguarding employees' welfare, promoting family-friendly and elder-friendly measures, etc., as set out in paragraphs 18 to 44 below.

Launching of the Construction Industry Recruitment Centre (CIRC)

18. Further to the two recruitment centres for the catering and retail industries, LD's newly established CIRC was launched earlier this month to facilitate local construction workers to find jobs and employers of the industry to recruit workers. CIRC provides a venue for employers, contractors and sub-contractors of the trade to organise job fairs and conduct on-the-spot job interviews with job seekers, enhancing the efficiency in job search and recruitment. Located at the Kowloon Bay Training Centre of the Construction Industry Council (CIC), CIRC creates synergy effect with the services of the Training Centre, including referral of job seekers interested in the industry, those changing trade and serving construction workers to CIC for training or skills upgrading. CIRC also facilitates CIC's trainees in job search.

Organising job fairs

19. LD will continue to regularly organise large-scale, district-based and industry-based thematic job fairs for employers from different sectors and job seekers with diverse background to help employers fill the vacancies and job seekers find suitable jobs more quickly. LD will also continue to organise large-scale job fairs with employment and vacancy information on the Mainland to facilitate job seekers, particularly young people, to deepen their understanding of the employment opportunities on the Mainland and find suitable jobs with a view to broadening their choices in job search.

Strengthening the employment service for job seekers with disabilities

20. LD has all along been working hard to strengthen its employment service for job seekers with disabilities. LD has enhanced the post-placement follow-up service provided for job seekers with disabilities by extending the service period from three months to six months. LD will continue to implement the measure to help employees with disabilities adapt to their work as soon as possible and provide more intensive support services for employers to assist them better understand the special needs of their employees with disabilities, so as to help both parties build up good working relationship.

21. To enhance the employability of persons with disabilities, LD will continue to implement the Work Orientation and Placement Scheme which encourages employers to offer more employment opportunities for

persons with disabilities and provide them with coaching and support through the provision of an allowance.

Implementing the pilot “Employment Services Ambassador Programme for Ethnic Minorities”

22. LD will continue to implement the pilot “Employment Services Ambassador Programme for Ethnic Minorities”, under which trainees of the Youth Employment and Training Programme (YETP)¹ who can communicate in ethnic minority languages are employed as employment services ambassadors (ESAs) to work in LD’s job centres, recruitment centres and job fairs. On the one hand, ESAs can assist LD officers in providing employment services to job seekers, especially ethnic minorities. On the other hand, the programme enables ESAs to enrich their own working experience and resume which would benefit their job search in the open market. The programme, launched in September 2014, has so far engaged a total of 48 ESAs in three batches. LD will review the pilot programme and map out the future arrangements as and when appropriate.

Supporting the employment of mature persons

23. To promote the employment of mature persons, LD will continue to implement a series of measures, including organising employment briefings for mature persons, holding experience sharing sessions on employment of mature persons for employers and maintaining a dedicated webpage for mature job seekers so as to enhance employment support services for them. Moreover, LD’s job centres will continue to stage district-based thematic job fairs on part-time jobs which are welcome by some mature persons. LD will also continue its efforts in organising large-scale thematic job fairs targeted at middle-aged and mature job seekers to enhance their employment opportunities.

24. In addition, LD will continue to provide on-the-job training allowance of up to \$3,000 for a period of three to six months to employers to encourage them to engage the middle-aged and mature job seekers and provide them with on-the-job training under the Employment Programme for the Middle-aged (EPM). As some mature persons are more interested in part-time jobs, the EPM, which originally covered only

¹ YETP provides one-stop and diversified pre-employment and on-the-job training for young school leavers aged 15 to 24 with educational attainment at sub-degree level or below.

full-time employment(i.e. working more than 30 hours per week), has been extended to cover part-time jobs.

Encouraging employers to build an elderly-friendly working environment through continued publicity

25. LD has all along been encouraging employers, having regard to the individual circumstances of their enterprises, to adopt friendly employment practices for mature persons and extend the working life of their employees so that mature persons can continue to stay in employment. We also encourage employers to adopt more flexible modes of employment and establish suitable working conditions and environment to attract mature persons to continue in or return to employment.

26. LD will continue to promote the elderly-friendly employment message in the community and encourage employers to adopt friendly employment practices for mature persons in the workplace through various publicity channels and a wide range of educational and promotional activities. Such activities include issuing publications, staging roving exhibitions, publishing newspaper feature articles, broadcasting Announcements in the Public Interest (API) on television and radio, as well as conducting regular meetings and exchanges with business executives and human resources managers.

Funding the Vocational Training Council (VTC) to implement the traineeship scheme in services industries

27. VTC launched the Traineeship Scheme (the Scheme) in end-2011 to extend the structured apprenticeship arrangements to the beauty care and hairdressing industries. The Scheme provides in-service training and relevant vocational education to youngsters aged 15 or above so that they can learn and work at the same time and accumulate the requisite knowledge and skills for starting their career in services industries. As at November 2015, VTC had enrolled 538 trainees under the Scheme.

Continuing to step up promotion of family-friendly employment practices (FFEP)

28. FFEP are good people management measures adopted by employers to help employees fulfil their work and family responsibilities simultaneously. Making the workplace family-friendly is a shared responsibility of the entire community. Employers may adopt different types of FFEP having regard to the individual circumstances of their enterprises and needs of their employees.

29. LD has been one of the facilitators in promoting FFEP. Relevant information has been disseminated to the community and employers are encouraged to adopt FFEP at workplaces through a wide range of publicity channels and various educational and promotional activities such as publications, large-scale seminars, thematic exhibitions, promotional videos, newspaper feature articles, advertisements in periodic publications of employers' associations and trade union federations, advertisements in public transport network as well as regular meetings and exchanges with business executives and human resources managers

30. To sustain the efforts in promoting FFEP, LD will produce a new television and radio API to widely disseminate to the community the merits of adopting FFEP and encourage employers to help employees achieve a balance between work and family life.

Measures to alleviate manpower shortage of individual sectors

31. Relevant Government bureaux and departments have all along closely monitored the manpower demand and supply for different sectors, strengthened training initiatives and attracted new entrants to the sectors. On the premise of according priority in employment to local workers, importation of labour is allowed on an appropriate, limited and targeted basis to relieve the manpower shortage of individual sectors. At present, employers facing genuine difficulties in local recruitment can apply for importation of skilled workers on a limited scale under the Supplementary Labour Scheme (SLS), thereby addressing the manpower needs of individual industries with labour shortage.

32. As regards the construction industry, the Government rolled out enhancement measures in April 2014 to help expedite the preparatory work of public sector works contractors in SLS applications involving 26

trades with manpower shortage. Having regard to the unique characteristics of the construction industry, the Government launched in May 2015 flexibility enhancement measures under SLS to allow public sector works contractors to enhance flexibility in the deployment of imported workers. Imported workers are thereby allowed to work across more than one specified public sector works contract under the same contractor. The resulting synergy effects would help achieve more effective utilisation of productivity of the imported workers. The Government will continue to keep close contact with stakeholders of the industry and the labour sector, and will review the effectiveness of the measures in a timely manner, so as to maintain the sustainable development of Hong Kong's economy and society.

Supporting the Minimum Wage Commission (MWC) in its review of the Statutory Minimum Wage (SMW) rate

33. Since the implementation of SMW in May 2011, the employment market has remained generally stable and the earnings of low-income workers have continued to improve. The increase of the SMW rate to \$32.5 per hour since May 2015 has also been operating smoothly. LD has organised extensive publicity activities to enhance public awareness of the revised SMW rate and has continued with targeted enforcement campaigns to effectively monitor the implementation of SMW. Adopting an evidence-based approach, MWC is embarking on the work for a new round of review of the SMW rate. MWC will submit a report on its recommendation to the Chief Executive in Council by the fourth quarter of this year.

Continuing with a comprehensive review of the Work Incentive Transport Subsidy (WITS) Scheme

34. The WITS Scheme was launched in October 2011 to help low-income earners reduce their cost of travelling to and from work and encourage them to secure or stay in employment. With the enhancement measures implemented since 2013, applicants may choose to apply for the subsidy on a household or individual basis. As at the end of 2015, LD had received a total of 306 154 applications, including 183 947 household-based and 122 207 individual-based applications. The income and asset limits for the subsidy will be adjusted in accordance with the annual adjustment mechanism concurrently with the asset limits

of the Comprehensive Social Security Assistance (CSSA) Scheme². LD is conducting a comprehensive review of the WITS Scheme, including its objectives, eligibility criteria, level of subsidy rate, modus operandi and effectiveness. The review is expected to be completed in the next few months.

Continuing to promote the occupational safety and health of construction workers through publicity, education and enforcement

35. With the commencement of a number of mega works projects and a large number of maintenance works projects for old buildings, and in anticipation of the continuous vibrant development of the construction industry, there are increasing job opportunities in the industry. The number of construction workers increased by 67% from over 55 000 in 2010 to over 92 000 in the first half of 2015. In view of this challenge, LD will continue to promote the occupational safety and health of construction workers through publicity, education and enforcement, including prevention of accidents caused by systemic deficiencies by containing work risks at source.

36. Apart from conducting over 50 000 routine site inspections each year, LD from time to time launches special enforcement operations to deter work practices contravening work safety requirements, with focus on high-risk processes such as lifting operations, work-at-height, electrical work, truss-out scaffold works, sea-based construction works, etc. LD will take immediate enforcement actions upon discovery of breaches of safety legislation. LD launched a number of special enforcement operations in 2015, with a total of 421 Suspension Notices (SNs) and 884 Improvement Notices (INs) issued, and 731 prosecutions to be initiated. As regards the enforcement figures for the construction industry as a whole (inclusive of the figures for special enforcement operations) in 2015, LD issued a total of 776 SNs and 1 720 INs, with 2 000 prosecutions initiated.

37. LD also strives to prevent accidents caused by systemic deficiencies at source. One of the initiatives is to enhance liaison with major works project proponents, and ask them to urge their contractors to strengthen their site safety management systems and step up safety audits of major works projects so as to eliminate potential work hazards,

² The income limits are updated on the basis of the median monthly domestic household income in the third quarter of the previous year whereas the asset limits are pegged to three times the asset limits of the CSSA Scheme as adjusted.

especially in respect of high-risk process. On work safety for sea-based construction works, LD organised with Marine Department (MD) five safety seminars on marine construction work safety for the front line staff of the Hong Kong-Zhuhai-Macao Bridge Project in June to November 2015. In addition, LD and MD launched 14 joint enforcement operations from the 4th quarter of 2014 to December 2015 and have taken rigorous prosecution against those work practices which are in contravention of the safety requirements.

38. The Government will continue with these publicity and enforcement efforts in 2016. LD will also tackle systemic risks by strengthening the analysis of underlying systemic risks of serious construction accidents, instituting targeted inspections and enforcement actions, organizing seminars on thematic work safety (e.g. lifting operation, work-at-height, electrical work, etc.), and formulating codes of practice on work safety.

Launching large-scale promotional programmes to raise the standard of occupational safety and health in sectors such as the construction industry and food and beverage services sector and the awareness of relevant stakeholders

39. LD, in collaboration with OSHC and related organisations of the construction industry, will continue to co-organise the “Construction Industry Safety Award Scheme” again this year to celebrate contractors and construction industry practitioners with outstanding safety performance. Besides, LD will continue to support workers’ unions and organisations in organising site safety talks this year, during which family members of the victims of industrial accidents will share with frontline workers the causes of accidents, the prevention measures as well as the grief they suffered, for the purpose of heightening workers’ vigilance on safety at work. In addition, LD will organise safety forums and seminars to instill work safety culture in construction workers.

40. In respect of the food and beverage services sector, LD and OSHC will continue to launch the “Outstanding OSH Restaurant - Pilot Scheme on Catering Safety Accreditation” this year. Participating enterprises may take part in the “Accreditation Scheme for Catering Establishments with 5S Good Housekeeping” to enhance the safety and cleanliness of workplaces. Accredited restaurants will receive subsidies for purchasing slip resistant shoes, cut-resistant gloves and heat-resistant gloves.

41. LD will continue to organise large-scale promotional and publicity programmes to enhance occupational safety and health awareness in sectors such as the construction industry and food and beverage services sector. These programmes include “Safety Award Schemes”, roving exhibitions, promotional visits, broadcast of APIs on television and radio, radio programmes, fun days and experience sharing workshops, etc..

42. LD will also continue to tailor-make simple and reader-friendly promotional leaflets for ethnic minorities workers, and organise site visits and talks in collaboration with workers’ unions and trade associations to enhance their safety awareness.

Continuing to enhance the promotion of the Working Holiday Scheme (WHS)

43. To provide our youths the opportunity of experiencing foreign culture and customs and broadening their horizons through living and working temporarily overseas while holidaymaking, Hong Kong has hitherto established bilateral WHSs with ten economies (including New Zealand, Australia, Ireland, Germany, Japan, Canada, Korea, France, the United Kingdom (UK), and Austria). Youths aged 18 to 30 may apply for working holiday visas with these economies. Save for the UK and Austria which allow Hong Kong youths to stay for up to 24 months and six months respectively, participants of our other eight WHSs are allowed to stay in the host economies for up to 12 months for holidaying. During their stay, the participants can take up short-term employment and/or studying short-term courses (except Ireland which disallows such under its standing visa policy).

44. Since the inception of the WHSs, there have been around 70 000 Hong Kong youths participating in these schemes. LD will continue to enhance the promotion of WHS between Hong Kong and other economies in the coming year, and will explore the signing of new arrangements with more economies and/or seek to expand the quotas in our existing arrangements with our partners so that more of our youths can enrich their global exposure.

Conclusion

45. The Government will continue to work closely with employers and employees, as well as different sectors of the community in implementing the various above labour and manpower initiatives.

Labour and Welfare Bureau
Labour Department
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