

For information on
16 February 2016

**Legislative Council
Panel on Manpower**

Women Employment

Purpose

The Government is committed to facilitating women to pursue employment and careers of their choice. This paper provides an update on the implementation of population policy initiatives related to unleashing the potential of the women workforce and briefs Members on the enforcement of the Family Status Discrimination Ordinance.

Employment Situation of Women

2. According to the statistics¹ published by the Census and Statistics Department (C&SD), Hong Kong had a labour force of 3 631 300 including 1 624 400 females (44.7%) in Q3 2015. During the same period, the labour force participation rate (LFPR) (i.e. the proportion of the labour force in the population aged 15 and over) for females was 50.7%, which represented an increase of 2.1% over the corresponding figure of 48.6% in 2002. The male and female LFPRs by age group are provided at Appendix 1.

3. In Q3 2015, Hong Kong had 3 495 500 employed persons including 1 560 800 females (44.7%). Over the same period, there were 135 800 unemployed persons including 63 600 females (46.4%). In Q3 2015, there were 1 582 100 females aged 15 and above who were economically inactive in Hong Kong for reasons provided at Appendix 2.

¹ The statistics are compiled based on the data collected in the General Household Survey (GHS) of C&SD. The GHS covers the land-based non-institutional population only. Foreign domestic helpers are excluded from the statistics.

Population Policy Initiatives

4. According to the latest 2014-based projections published by C&SD in September 2015, our labour force² is expected to peak at 3.65 million by around 2018 and then decrease to 3.43 million in 2031. The labour force is projected to hover between 3.42 million to 3.43 million until 2038, before gradually declining to 3.11 million in 2064. The overall LFPR is projected to decrease from 59.3% in 2014 to 48.6% in 2064. The LFPR for females is projected to decline from 50.7% to 42.1% in 2064.

5. The Steering Committee on Population Policy chaired by the Chief Secretary for Administration, upon completion of a public engagement exercise and after conducting the analysis of views collected, agreed that a five-pronged strategy should be adopted to deal with demographic challenges, as stated in the Booklet, entitled “Population Policy – Strategies and Initiatives” published in January 2015. The first prong of this strategy is “creating a conducive environment to draw more women and mature persons into the labour market to avoid our future socio-economic development being impeded by insufficient manpower”. In her foreword to the Booklet, the Chief Secretary for Administration has elucidated that “we acknowledge women's contribution to the family and respect older people's decision to retire early but we also encourage them to join the labour market. Our intention is to open up more options for them. By enhancing support in child care, employment and other services, we hope to remove the barriers for women and the elderly to enter or stay in employment. This will create favourable conditions for them to keep a balance between work and personal life, without having to choose either of the two.” The following specific measures are referred to in the booklet to help women balance family and work commitments: strengthening child care and after-school care services; strengthening training and employment services; and promoting family-friendly employment practices. The progress of implementation of these measures is set out in paragraphs 6 to 24 below.

² Foreign domestic helpers are excluded from the projected figure.

Strengthening child care and after-school care services

6. To support parents who are unable to take care of their children temporarily because of work or other reasons, the Social Welfare Department (SWD) has all along been providing subsidies to non-governmental organisations (NGOs) to run a variety of child care services for children below the age of six. To remove the barriers for women to enter or stay in employment and to further respond to the community demand for child care services, the Government has been launching a series of measures to enhance child care services, including –

- (a) increasing, by phases, the provision of about 5 000 Extended Hours Service places at aided child care centres and kindergarten-cum-child care centres in districts with heavy demand. About 1 200 of such places have been provided since September 2015;
- (b) planning to provide about 100 additional aided long full-day child care places for children aged below three in Sha Tin in 2018-19;
- (c) inviting those NGOs participating in the Special Scheme on Privately Owned Sites for Welfare Uses to consider establishing work-based child care centres when they are making use of their land for redevelopment, expansion or new development. Two NGOs have responded positively, proposing to provide a total of about 100 self-financing child care places in their projects. The Government is also exploring, on a pilot basis, the feasibility of providing about 100 NGO-operated child care places for staff members in the proposed Government Complex in Tseung Kwan O; and
- (d) launching the pilot project on Child Care Training for Grandparents. This two-year pilot project aims 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 grandparents. SWD is studying the proposals submitted by nine subvented NGOs (which are also training bodies recognised by

the Employment Retraining Board for the relevant child care training programmes), with a view to selecting the relevant proposals for inclusion into the pilot project. It is hoped that the first batches of the training programmes under the pilot project will commence service in March 2016.

As regards the medium and long-term planning, the Government will commission a consultancy study to advise on the long-term development of child care services with a view to providing services that meet the needs of the families in Hong Kong.

7. The Education Bureau will provide additional resources for eligible kindergartens offering whole-day (WD) and long whole-day (LWD) services to encourage them to offer more such services at a more affordable rate. Premised on the principle that parents should bear part of the cost of WD service, the additional subsidy for each WD place is set at 30% of the half-day unit subsidy. The additional subsidy for each LWD place is set at 60% of the half-day unit subsidy. With the provision of WD and LWD grant, the services will be more affordable for parents who need them.

8. Supportive after-school care services have also been provided by NGOs for children aged 6 to 12 so that children whose parents are unable to care for them during after-school hours owing to work, job-search or other reasons could receive proper care. Through the Fee Waiving Subsidy Scheme for After School Care Programme, SWD provides assistance to needy families by waiving or reducing the fee of after-school care services. The Government will continue to strengthen the After School Care Programme by extending the service hours on weekday evenings, Saturdays, Sundays and school holidays in some after-school care centres and provide additional fee-waiving and fee-reduction quotas. From December 2014 onwards, SWD has been providing subsidies for setting up the above-mentioned enhanced services, with a current provision of 388 full fee-waiving places at 32 after-school care centres.

9. The Government has also provided \$200 million matching grant through the Partnership Fund for the Disadvantaged to encourage the business sector to work with organisations and schools to launch more after-school learning and support programmes for primary and secondary school students from grassroots families. SWD launched the first and the second rounds of dedicated fund application in January and December 2015 respectively for implementing after-school learning and support programmes. In the first round, 89 eligible applications were received, involving a total commitment of business contributions of \$50 million. Among them, some 70 approved projects have commenced and the remaining projects, subject to further vetting, are expected to commence within the 2015/16 school year. About 20 000 primary and secondary school students would benefit from the first round programmes.

Strengthening training and employment services

(A) Services by Employees Retraining Board (ERB)

10. ERB provides training courses that are market-driven and employment-oriented. Its service targets are eligible employees of Hong Kong aged 15 or above with educational attainment at sub-degree level or below. In 2015-16, ERB offers over 700 training courses straddling 28 industries and generic skills. Women can enrol in these courses having regard to their aspirations, interests and training needs.

11. To support women employment, ERB relaxed the restrictions on applications for half-day or evening courses to facilitate trainees to concurrently apply for and attend more than one half-day or evening course according to their own schedules. In addition, ERB has launched various pilot schemes and support measures, including the pilot “Modular Certificates Accumulation Scheme” to facilitate trainees who are unable to pursue the “Foundation Certificate in Post-natal Care Worker Training” course on full-time basis owing to family commitments to make flexible study arrangements and acquire recognised qualifications. ERB has also introduced a “First-Hire-Then-Train Pilot Programme” to assist those who are unemployed and aged

40 or above (mainly homemakers) to work as care workers for elderly homes. Work arrangements (including working hours and leave schedule) which can cater for the family commitments of trainees are offered; and trainees will receive on-the-job training while employed. In 2016-17, ERB will explore the possibility of extending the pilot schemes to cover other training courses with market demand.

12. ERB has also launched the “Smart Living” and “Smart Baby Care” schemes to offer employers and graduate trainees of related ERB courses free job referrals in home, care and health services as well as post-natal care and infant and child care services. ERB will also launch a “Smart Starter” scheme on a pilot basis in 2016-17 to provide free referrals to part-time non-home-related job vacancies and follow-up services for new arrival trainees (mainly women).

(B) Services by Labour Department (LD)

13. LD offers comprehensive and free employment services to job seekers (including women) through a network of 13 job centres, three industry-based recruitment centres, a telephone employment service hotline, the Interactive Employment Service (iES) website, and numerous vacancy search terminals installed at various locations across the territory. In 2015, there were 67 221 job seekers registering for LD’s employment services. Among them, 37 527 were females, representing 55.8% of the total number of registrants.

14. Various facilities are made available in job centres to enable the job seekers (including women) to complete the whole job search process at the same location. Apart from general job referral services, job seekers may also obtain personalised employment advisory services in job centres. Employment officers will help individual job seekers find suitable jobs by providing them with employment and training information, and job search advice in accordance with their needs and preferences and/or conducting career aptitude assessment, etc. Employment officers will also assist job seekers in joining various employment programmes operated by LD to

enhance their employability.

15. LD regularly organises large-scale and district-based job fairs to enhance the dissemination of vacancy information to job seekers (including women). In parallel, employers in the catering and retail industries hold recruitment activities almost every working day in the recruitment centres for the respective industries. In 2015, LD organised 17 large-scale job fairs and 985 district-based job fairs while the recruitment centres for the catering and retail industries organised a total of 489 job fairs. At these job fairs, vacancies suitable for job seekers of different educational attainments and skill levels are available. Job seekers can submit job applications and attend interviews with employers on the spot.

16. While offering free recruitment services to employers, LD will duly vet the requirements of vacancy orders placed by employers to ensure all the vacancy orders posted by LD do not contain any discriminatory terms (including gender) and comply with the requirements under the relevant legislation and codes of practice on employment. LD will not accept nor display the vacancy order placed if it does not comply with such requirements.

17. To meet the wishes of some job seekers (especially women) to find part-time jobs to release time to take care of their family or other commitments, LD continues to enhance its promotional efforts in encouraging employers to provide more part-time vacancies. In 2015, LD received 223 978 part-time vacancies from the private sector, representing a 15.1% increase over 2014.

18. LD has set up a dedicated webpage on part-time vacancies at the iES website to facilitate job seekers (including women) interested in part-time employment to search for suitable vacancies. Moreover, since May 2015, LD's job centres have been staging thematic job fairs on part-time jobs. LD's Employment Programme for the Middle-aged³, which originally covered only

³ Employment Programme for the Middle-aged provides on-the-job training allowance of up to \$3,000 per month (for a period of three to six months) for employers to

full-time employment, has been extended to cover part-time jobs (i.e. working 18 hours to less than 30 hours per week) since September 2015 with a view to encouraging employers to provide more suitable part-time employment opportunities and on-the-job training for middle-aged job seekers (including women).

19. Depending on their length of employment and weekly working hours with the same employers, currently both full-time and part-time employees (including women) are accorded different levels of protection and benefits under the Employment Ordinance (EO). Under EO, all employees (including women), irrespective of whether working full-time or part-time, are accorded protection in areas such as payment of wages, restriction on deductions from wages, entitlement to statutory holidays and protection against anti-union discrimination. Furthermore, regardless of their length of employment or number of working hours, the Employees' Compensation Ordinance provides compensation to employees (including women) who sustain injuries or die owing to accidents arising from employment, or suffer from prescribed occupational diseases, while the Minimum Wage Ordinance (MWO) accords protection of statutory minimum wage to employees (including women) covered by MWO. The Mandatory Provident Fund Schemes Ordinance (MPFSO) requires employers to arrange enrolment on a mandatory provident fund scheme for employees (including women) covered by MPFSO and employed for a period of 60 days or more.

20. To enhance public understanding of the employment rights and protection enjoyed by employees not engaged under a continuous contract, LD has been promoting the subject through a wide range of educational and publicity activities, including distributing leaflets and promotional materials, displaying posters in various locations, staging territory-wide roving exhibitions, publishing feature articles, delivering talks and publicising the message through LD's homepage. LD will continue with the educational and promotional efforts on this front.

encourage them to engage job seekers aged 40 or above and provide them with on-the-job training.

(C) Services by Social Welfare Department (SWD)

21. Under the Comprehensive Social Security Assistance (CSSA) Scheme, SWD has commissioned 26 NGOs to operate 41 projects under the Integrated Employment Assistance Programme for Self-reliance throughout the territory to provide employment assistance services for unemployed and able-bodied CSSA recipients (including women). NGOs will conduct interviews with the CSSA recipients regularly and provide advice on job search. NGOs will also help the recipients develop personalised action plans for seeking employment and review the plans regularly and assist them to obtain up-to-date information on the labour market as well as arranging job matching and employment related training such as basic social skills, job seeking skills and skills upgrading training etc. for them. Other support services include providing information on child care and post-employment support for at least three months to encourage those who have secured jobs to sustain employment. In addition, employment assistance services are provided to assist and encourage single parents and child carers on CSSA with their youngest child aged 12 to 14 to help them overcome work barriers, enhance employability and secure paid jobs to become self-reliant.

(D) Services by Labour and Welfare Bureau (LWB)

22. LWB, in conjunction with the Women's Commission (WoC)⁴, has been working proactively on facilitating employment of women who wish to pursue their employment and careers at their own choice. In 2014-15 and 2015-16, WoC adopted "women's employment" as the theme of its Funding Scheme whereby NGOs and interest groups were invited to organise projects and programmes to facilitate women to unleash their potential, enhance women's employability and/ or create an environment that enables women to work. LWB and WoC have also shared with the public the results of a

⁴ WoC is set up by the Government as a high-level central mechanism to advise the Government on policies and initiatives which are of concern to women, and develop a long-term vision and strategy for the development and advancement of women in Hong Kong. Its mission is to enable women in Hong Kong to fully realise their status, rights and opportunities in all aspects of life.

survey conducted by C&SD to examine the time use pattern of Hong Kong residents as well as the circumstances surrounding women's decision to take part in or withdraw from the workforce and those factors which would attract them to join or re-join the workforce. These findings should serve a useful reference. LWB and WoC are updating the Women Employment website regularly. This is an information portal providing employment services, child and elderly care support services and training programmes for working women and women who are ready to join the labour market.

Promoting family-friendly employment practices

23. Family friendly employment practices (FFEP) are good people management measures adopted by employers to help employees fulfil their work and family responsibilities simultaneously. 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. LD will produce a new set of television and radio Announcements in the Public Interest in 2016 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.

24. The Home Affairs Bureau (HAB) and the Family Council are committed to encouraging employers to implement family-friendly employment policies and practices (FFEPPs) and fostering a pro-family culture and environment. Since 2011, HAB and the Family Council have launched "Family-Friendly Employers Award Scheme" (the Award Scheme) on a biennial basis to give recognition to companies and organisations which attach importance to family-friendly spirit and encourage them to implement more diversified FFEPPs. Leveraging on the success of the previous two

Award Schemes organised in 2011 and 2013/14 (which attracted over 1 100 and 1 800 enrolments respectively), HAB and the Family Council launched the third Award Scheme on 15 December 2015. Under the current Award Scheme, a new award entitled “Award for Breastfeeding Support” will be given to companies and organisations which have adopted a breastfeeding-friendly workplace policy for their lactating employees.

Family Status Discrimination Ordinance

25. The Equal Opportunities Commission (EOC) is an independent statutory body established under the Sex Discrimination Ordinance to implement the four existing anti-discrimination ordinances, including the Family Status Discrimination Ordinance (FSDO) enacted in 1997. Under FSDO, it is unlawful to discriminate against a person on the ground of family status. Family status means the status of having a responsibility for the care of an immediate family member. Immediate family member, in relation to a person, means someone who is related to the person concerned by blood, marriage, adoption or affinity. The areas of activities for which a person may lodge a complaint under the FSDO include employment; education; provision of goods, services and facilities; disposal or management of premises; eligibility to vote for and to be elected or appointed to advisory bodies; participation in clubs; and activities of the Government.

26. A person may lodge a complaint on FSDO in writing to EOC who will then investigate the complaint and encourage conciliation between the parties in dispute. If the complaint cannot be resolved, EOC may provide assistance to the complainant in court proceedings if he/she decides to take the complaint to court. Enquiries and complaints are handled in confidence by EOC. In the past five years (2010-11 to 2014-15), there were a total of 1 349 enquiries and 135 new complaints on FSDO handled by EOC. Among them, 855 (63%) and 98 (73%) respectively were employment-related. Of the 98 employment-related complaints, the majority (61 cases) concerned dismissal owing to family status (i.e., the status of having a responsibility for the care of an immediate family member). Of these 98 employment-related

cases—

- (a) 66 cases were discontinued mainly owing to a lack of substance and the complainants having no desire to pursue the case further;
- (b) 22 cases were successfully resolved through early resolution and conciliation;
- (c) 8 cases were unsuccessful conciliation and hence the complainants would consider whether to pursue the case further through legal proceedings; and
- (d) 2 cases were still under investigation.

27. It is worth noting that in one case, legal assistance was given by the EOC to the complainant after unsuccessful conciliation with the employer. Legal advice was provided by the EOC's lawyers to the complainant, and the parties eventually reached a settlement without the need to commence legal proceedings. The complainant received a settlement sum as compensation.

28. EOC has also issued the Family Status Discrimination Ordinance Code of Practice on Employment (the Code). The Code applies to employment in Hong Kong in any establishment and is designed to help employees, their colleagues, employers and other concerned parties to understand their responsibilities under FSDO. Employers are encouraged to follow the guidelines and recommended good practice in the Code⁵.

29. EOC is committed to eliminating family status discrimination and promoting respect for persons with different family status through training and public education. EOC conducts general and tailor-made training sessions for various organisations in the field of recruitment and human resources management under the four anti-discrimination ordinances, as well as sessions with specific focus on FSDO. It also organises seminars and

⁵ According to section 69(14) of the Sex Discrimination Ordinance, in any proceedings before any court, the Code shall be admissible in evidence, and if any provision of the Code appears to the court to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.

conferences on FSDO for the business sector, education sector, non-government organisations and ethnic minority groups to promote public understanding of family status discrimination. TV docu-dramas, Announcements in the Public Interest, and radio programmes relating to respect of persons with different family status and elimination of family status discrimination are broadcast from time to time. EOC also organises the “Career Challenge” youth mentorship programme, which aims at eliminating gender and family status stereotypes among youths. Over 300 projects funded under EOC’s Community Participation Funding Programme have focused on promoting equal opportunities, including the elimination of family status discrimination.

Advice Sought

30. Members are invited to note and comment on this paper.

Labour and Welfare Bureau
Labour Department
February 2016

Appendix 1

Labour force participation rates by age group and sex (excluding foreign domestic helpers) (Q3 2015)

Age group	Labour force participation rate (%)	
	Male	Female
15 – 19	13.9	12.8
20 – 24	64.9	65.3
25 – 29	93.9	83.2
30 – 34	96.5	76.4
35 – 39	96.6	69.1
40 – 44	95.5	68.5
45 – 49	94.6	71.3
50 – 54	91.3	63.1
55 – 59	82.8	49.3
60 – 64	57.5	27.6
65 and above	14.7	4.9
Overall:	69.2	50.7

**Number of economically inactive females aged 15 and above
by reason for being economically inactive
(Q3 2015)**

Reason for being economically inactive	Economically inactive females aged 15 and above	
	Number	Percentage (%)
Engagement in household duties	634 100	40.1
Retirement/ Old age	594 600	37.6
Attending educational institutions	218 200	13.8
Permanently sick/ Disablement	45 400	2.9
Other reasons	89 700	5.7
Total[@] :	1 582 100	100

Note:

@ There may be a slight discrepancy between the sum of individual items and the total as shown in the table owing to rounding-up.