



Labour Department (Headquarters)

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26 July 2016

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

Dear Miss Ma,

**The List of follow-up actions of the LegCo Panel on Manpower**

I refer to the list of follow-up actions (position as at 12 May 2016) of the LegCo Panel on Manpower. Having consulted relevant government bureaux/departments (including the Food and Health Bureau, the Security Bureau, the Food and Environmental Hygiene Department, the Immigration Department, the Buildings Department, the Census and Statistics Department and the Social Welfare Department), the Government submits a consolidated response to the follow-up actions at **Annex** for Members' reference.

Yours sincerely,

( Alice Yeung )  
for Commissioner for Labour

c.c. Secretary for Security (Attn : Ms Winnie Chui)  
Secretary for Food and Health (Attn : Ms Diane Wong)

## Government's responses to the list of follow-up actions arising from the Manpower Panel Meeting

Follow-up items	Topic	Government's responses																																																													
4.	Policy and arrangements relating to admission of trainees to Hong Kong	<p>The Government was requested to provide the following information:</p> <p>(a) The statistics on admission of trainees to Hong Kong with breakdown by sector are provided in the table below. The Immigration Department (ImmD) does not maintain the breakdown by position and training duration.</p> <p style="text-align: center;"><b>Breakdown of Approved Training Visa/Entry Permit Applications by Sector</b></p> <table border="1" data-bbox="562 560 1921 1441"> <thead> <tr> <th data-bbox="562 560 696 655">Year</th> <th data-bbox="696 560 1279 655">Sector</th> <th data-bbox="1279 560 1715 655">No. of Approved Application</th> <th data-bbox="1715 560 1921 655">%</th> </tr> </thead> <tbody> <tr> <td data-bbox="562 655 696 919" rowspan="6">2007</td> <td data-bbox="696 655 1279 703">Accounting and Finance</td> <td data-bbox="1279 655 1715 703">1216</td> <td data-bbox="1715 655 1921 703">21.6</td> </tr> <tr> <td data-bbox="696 703 1279 751">Banking</td> <td data-bbox="1279 703 1715 751">1002</td> <td data-bbox="1715 703 1921 751">17.8</td> </tr> <tr> <td data-bbox="696 751 1279 799">Logistics and Transport</td> <td data-bbox="1279 751 1715 799">929</td> <td data-bbox="1715 751 1921 799">16.5</td> </tr> <tr> <td data-bbox="696 799 1279 847">Academic and Education</td> <td data-bbox="1279 799 1715 847">788</td> <td data-bbox="1715 799 1921 847">14.0</td> </tr> <tr> <td data-bbox="696 847 1279 895">Others</td> <td data-bbox="1279 847 1715 895">1694</td> <td data-bbox="1715 847 1921 895">30.1</td> </tr> <tr> <td data-bbox="696 895 1279 919">Sub-total</td> <td data-bbox="1279 895 1715 919">5629</td> <td data-bbox="1715 895 1921 919">100.0</td> </tr> <tr> <td data-bbox="562 919 696 1174" rowspan="6">2008</td> <td data-bbox="696 919 1279 967">Logistics and Transport</td> <td data-bbox="1279 919 1715 967">1585</td> <td data-bbox="1715 919 1921 967">22.9</td> </tr> <tr> <td data-bbox="696 967 1279 1015">Accounting and Finance</td> <td data-bbox="1279 967 1715 1015">1530</td> <td data-bbox="1715 967 1921 1015">22.1</td> </tr> <tr> <td data-bbox="696 1015 1279 1062">Banking</td> <td data-bbox="1279 1015 1715 1062">1038</td> <td data-bbox="1715 1015 1921 1062">15.0</td> </tr> <tr> <td data-bbox="696 1062 1279 1110">Academic and Education</td> <td data-bbox="1279 1062 1715 1110">852</td> <td data-bbox="1715 1062 1921 1110">12.3</td> </tr> <tr> <td data-bbox="696 1110 1279 1158">Others</td> <td data-bbox="1279 1110 1715 1158">1918</td> <td data-bbox="1715 1110 1921 1158">27.7</td> </tr> <tr> <td data-bbox="696 1158 1279 1174">Sub-total</td> <td data-bbox="1279 1158 1715 1174">6923</td> <td data-bbox="1715 1158 1921 1174">100.0</td> </tr> <tr> <td data-bbox="562 1174 696 1441" rowspan="6">2009</td> <td data-bbox="696 1174 1279 1222">Logistics and Transport</td> <td data-bbox="1279 1174 1715 1222">1077</td> <td data-bbox="1715 1174 1921 1222">20.1</td> </tr> <tr> <td data-bbox="696 1222 1279 1270">Academic and Education</td> <td data-bbox="1279 1222 1715 1270">954</td> <td data-bbox="1715 1222 1921 1270">17.8</td> </tr> <tr> <td data-bbox="696 1270 1279 1318">Accounting and Finance</td> <td data-bbox="1279 1270 1715 1318">858</td> <td data-bbox="1715 1270 1921 1318">16.0</td> </tr> <tr> <td data-bbox="696 1318 1279 1366">Banking</td> <td data-bbox="1279 1318 1715 1366">783</td> <td data-bbox="1715 1318 1921 1366">14.6</td> </tr> <tr> <td data-bbox="696 1366 1279 1414">Others</td> <td data-bbox="1279 1366 1715 1414">1688</td> <td data-bbox="1715 1366 1921 1414">31.5</td> </tr> <tr> <td data-bbox="696 1414 1279 1441">Sub-total</td> <td data-bbox="1279 1414 1715 1441">5360</td> <td data-bbox="1715 1414 1921 1441">100.0</td> </tr> </tbody> </table>	Year	Sector	No. of Approved Application	%	2007	Accounting and Finance	1216	21.6	Banking	1002	17.8	Logistics and Transport	929	16.5	Academic and Education	788	14.0	Others	1694	30.1	Sub-total	5629	100.0	2008	Logistics and Transport	1585	22.9	Accounting and Finance	1530	22.1	Banking	1038	15.0	Academic and Education	852	12.3	Others	1918	27.7	Sub-total	6923	100.0	2009	Logistics and Transport	1077	20.1	Academic and Education	954	17.8	Accounting and Finance	858	16.0	Banking	783	14.6	Others	1688	31.5	Sub-total	5360	100.0
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		<p>(b) LD and ImmD have a mechanism in place to meet and discuss matters of mutual interest, including the application and processing of training visa / entry permits. LD and ImmD hold meetings to discuss ad hoc matters if and when necessary.</p> <p>(c) ImmD's records reveal that a total of 108 Mainland flight attendants from China Eastern Airlines (CES) were approved between 2003 and 2006 to come to Hong Kong for training sponsored by the Cathay Pacific Airways (CPA). In assessing the applications, ImmD considered that CPA was a well-established company that was capable of providing the proposed training; and the number of CES trainees admitted during the period concerned was insignificant compared to the total number of CPA flight attendants. ImmD approved those applications which met all the assessment criteria.</p>
5.	Creation of employment opportunities under the hawker policy	<p>The Government was requested to provide a response on its study on the vitalization of the existing open-air bazaars in Aberdeen, Sai Kung, Tin Shui Wai and Tung Chung. Further to the letter dated 20 January 2012 of the Food and Health Bureau (FHB), FHB was requested to provide information on whether and how it would study the vitalization of open-air bazaars in Aberdeen, Sai Kung, Tin Shui Wai and Tung Chung, etc.</p> <p>The Government keeps an open mind on proposals for the establishment of open-air bazaars (including night markets) with local characteristics and considers the district-led approach desirable. The Government will render assistance to development proposals as long as they will not jeopardise food safety and environmental hygiene or obstruct public access, and provided that suitable sites can be located by the organisations concerned and that support from the local communities and respective district councils (DCs) has been obtained.</p> <p>In March 2015, FHB presented proposals to the Subcommittee on Hawker Policy of the Legislative Council. One of them covered the setting up of district-led bazaars. In the same month, FHB briefed the Chairmen of the 18 DCs. On that as well as various subsequent occasions, we articulated the Government's stance and the positioning of our hawker policy and invited interested parties to identify suitable sites in districts to set up bazaars.</p> <p>An individual organization hold a bazaar on a trial basis in Kiu Kiang Street in Sham Shui Po on Sundays of August 2015. Besides, a kaifong organization organized a bazaar with stalls selling cooked food at Maple Street Playground in Sham Shui Po during the Lunar New Year period of 2016.</p>

Follow-up items	Topic	Government's responses
		<p>In November 2015, the Government received proposals related to bazaars from a number of organizations. FHB wrote to the DC Chairmen concerned, seeking their assistance in putting the proposals before the DCs for discussion and follow-up. With the support of Sham Shui Po DC, an organization submitted an application for the requisite Temporary Places of Public Entertainment Licence for organizing a bazaar in Kiu Kiang Street in Sham Shui Po from June to October 2016. The concerned government departments did not raise objection to the application. The Food and Environmental Hygiene Department (FEHD) issued the "Letter of requirements" to the applicant on 7 June. As and when compliance with all licensing requirements is confirmed, FEHD will issue the requisite licence. Separately, the Islands DC has formed a Working Group on Promotion of Bazaar Development (the WG). The WG has held two meetings since April 2016 to follow up the bazaar proposals. FHB will keep in touch with the DCs concerned to take forward the proposals.</p>
6.	Women employment	<p>The Government was requested to provide a timetable for the in-situ expansion in existing Child Care Centres by districts and provide information on the feasibility study of setting up child care centres on existing vacant school premises. In consultation with other relevant Government departments, Social Welfare Department will continue to identify suitable premises (including vacant school premises) for setting up child care centres.</p>
7.	Compensation for pain arising from occupational deafness	<p>The Government was requested to report the progress of introducing measures by a Research Committee of the Occupational Deafness Compensation Board (ODCB) to alleviate occupational deafness (OD) persons' affliction by tinnitus. Based on the information provided by ODCB, the response is provided as follows:</p> <p>In response to the affliction by tinnitus of some OD persons, which might have certain impact on their daily activities and quality of life, the ODCB Chairman has been leading a Research Committee to implement a series of measures to alleviate OD persons' affliction by tinnitus. Members of the Research Committee comprise specialists in Otorhinolaryngology, doctors of the Department of Health and the Hospital Authority, audiologists as well as representatives of ODCB and LD.</p> <p><b>Tinnitus alleviation measures</b></p> <p>As proposed and initiated by the Research Committee, ODCB has made vigorous efforts in launching tinnitus alleviation measures on various fronts, including aural rehabilitation, social rehabilitation and counselling services. Key measures are set out below.</p>

Follow-up items	Topic	Government's responses
		<p><b><i>Aural rehabilitation</i></b></p> <p>ODCB has allocated additional resources to appoint a full-time audiologist, and has since June 2015 set up a new audiology room equipped with audiological devices in the ODCB office to provide the following more comprehensive and personalised aural rehabilitation and tinnitus counselling services:</p> <ul style="list-style-type: none"> <li>(i) Full range of audiological assessment and counselling services, encompassing high frequency pure-tone audiometry, otoscopy, tympanometry, otoacoustic emission test, unaided and aided hearing test, speech audiometry, electroacoustic analysis, hearing amplification candidacy and communication skills based on the characteristics of hearing loss; and</li> <li>(ii) Tinnitus assessment and counselling services, covering basic tinnitus characteristic analysis, tinnitus frequency or pitch matching, basic tinnitus counselling and tinnitus masker selection.</li> </ul> <p>Between the commencement of the services in the ODCB audiology room and the end of May 2016, a total of some 500 attendance in 22 aural rehabilitation seminars for information and education purpose, and individualised audiological services rendered by the audiologist were recorded.</p> <p>Regarding tinnitus alleviation devices, ODCB has launched a Tinnitus Masker Trial Scheme (Scheme) since June 2014 to offer free trial of desktop tinnitus maskers for tinnitus sufferers. The Scheme was introduced and promoted through various rehabilitation programmes. Moreover, in tandem with the advancement in hearing aid technology, ear-level hearing aids equipped with tinnitus management function have become increasingly popular. In view of this, ODCB has launched a free trial scheme of such ear-level hearing aids for tinnitus sufferers starting from June 2016.</p> <p>Furthermore, ODCB will arrange OD persons with tinnitus to undergo detailed tinnitus assessments, the results of which will facilitate the audiologist to customise suitable tinnitus management programmes for individuals, with the ultimate aim of reducing tinnitus and related distress for the sufferers. The programmes will encompass tinnitus masker candidacy and use of sound enrichment therapeutic techniques, such as Tinnitus Retraining Therapy or Cognitive Behavioural Therapy.</p> <p><b>Social rehabilitation</b></p> <p>In 2015-16, total attendance of over 8 300 was recorded in 385 social rehabilitation programmes organised by ODCB and its Occupational Deafness Rehabilitation Network (ODRN) partners, providing various opportunities of communications and exchanges for OD persons, including tinnitus sufferers. Moreover, ODCB specifically requested its ODRN partners to invite relevant experts such as psychologists, psychiatrists or Chinese medicine practitioners to brief OD persons on possible causes of and relief measures for tinnitus at various health talks.</p>

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		<p><i>Counselling services</i></p> <p>Having regard to the needs of individual tinnitus sufferers, ODCB will continue to collaborate with its ODRN partners to arrange professional social workers or the audiologist of ODCB to render them with individualised counselling services, including the provision of information on tinnitus categorisation and the neurophysiological and psychological impact of tinnitus; and equip them with skills for self-relaxation.</p>
8.	Occupational diseases and occupational health performance	<p>In respect of some 9 000 clinical consultations provided by the occupational health clinics in 2015, the Government was requested to provide information on the number of new cases involving strain of lower limbs and whether such cases were work-related. In 2015, a total of 1 685 new patients sought consultation at the occupational health clinics of LD. Among them, 439 patients suffered from musculoskeletal diseases of lower limbs. The diseases of 373 (85%) patients were caused by, related to or aggravated by work, while those of the remaining 66 (15%) patients were not related to work.</p>
9.	Occupational safety performance	<p>The Government was requested to provide the following information/responses:</p> <p>(a) <u>Specific measures to reduce risks associated with works at external wall of existing buildings</u></p> <p>As work at the external wall of buildings involves some degree of risk, contractors/employers must adopt suitable measures, including provision of suitable working platforms and personal fall arresting equipment to workers, and ensuring their use for protection of workers' safety at work. LD has been making considerable efforts to raise the awareness of workers and duty-holders on the risks in connection with the external wall work of buildings through inspection and enforcement, publicity and promotion, as well as education and training, so as to enhance work-at-height safety.</p> <p>In respect of the external scaffolding works safety, LD, in collaboration with the Occupational Safety and Health Council (OSHC), launched the "OSH Star Enterprise Safety Accreditation Scheme" for small and medium-sized (SME) contractors, including provision of safety training, subsidies for the purchase of fall arresting devices and safety audits for SME contractors in repair, maintenance, alteration and addition (RMAA) works. As at end May 2016, 35 SME contractors had been accredited, six of them were presented with Gold Star Award as they continued to be accredited over one year with good OSH performance. LD also updated the "Code of Practice for Bamboo Scaffolding Safety" to delineate the responsibilities among principal contractors and sub-contractors for providing working platforms on bamboo scaffolds, with a view to ensuring that suitable working platforms are available for use by workers carrying out work at the external wall.</p>

Follow-up items	Topic	Government's responses
		<p>To further safeguard persons engaged in work at external walls of buildings from falling from height, LD, in collaboration with OSHC, launched the “Sponsorship Scheme for Fall Arresting Equipment for Renovation &amp; Maintenance Work and Construction Industry” (the Scheme). The Scheme subsidises the industry to purchase fall arresting equipment including transportable temporary anchor device, full-body safety harness and its anchor system, T-shaped metal bracket, metal detector and torque wrench.</p> <p>LD, through stepping up liaison with OSHC, trade associations and workers’ unions, will enhance promotion of the above Scheme and the Safety Accreditation Scheme to works project proponents and SME contractors.</p> <p>With regard to work-at-height safety, LD will continue to organise thematic safety talks and seminars, support workers’ unions and organisations in holding site safety talks, and stage roving exhibitions at locations near renovation and repair worksites to directly promote work-at-height safety to workers and general public.</p> <p>LD will also continue to raise safety awareness of stakeholders concerned on risks arising from work-at-height activities and ways to eliminate such risks through different channels. Through the issue of systemic safety alerts, LD has been appealing to registered safety officers and registered safety auditors to discharge their statutory duties in advising their employers/clients on the concerned preventive measures. LD issued advisory letters to construction contractors and sub-contractors to urge them to adopt adequate safety measures while working on, erecting and dismantling truss-out bamboo scaffolds. LD has also been issuing Work Safety Alerts to contractors, workers’ unions, and organisations of safety professionals to provide them with brief accounts of accidents involving truss-out bamboo scaffolds in order to prevent recurrence of similar accidents.</p> <p>LD also actively engages trade associations/unions of the scaffolding industry in order to better understand scaffolding workers’ working conditions, and to explore with them specific ways to help the workers tackle work-at-height risks.</p> <p>Besides, LD will step up promotion of RMAA works safety to the property management sector and will, through collaboration with property management companies, step up promotion of work-at-height safety to the contractors and workers. LD will also engage property owners, owners’ corporations and occupants to promote to them directly RMAA work and work-at-height safety.</p> <p>In order to ensure the wearing of safety helmets can best protect workers from head injury should they fall from height, safety helmets must be worn with chin straps. LD has been stepping up publicity efforts, including promotion through trade associations and workers’ unions, to urge workers to use safety helmets with chin straps and to secure the chin straps properly to further protect them while working above ground.</p>

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		<p>On enforcement through inspection, apart from conducting regular surprise site inspections, LD will also continue to launch special enforcement operations from time to time to deter unsafe work practices with focus on work-at-height.</p> <p>On the other hand, the Buildings Department (BD) has promulgated the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) ADV-14 since 1998 to encourage the building industry to consider at the design stage measures which would facilitate external inspection and maintenance of buildings. The PNAP recommends various safety measures such as gondola, cast-in anchor devices, etc. for maintaining or cleaning external features including common drains, air-conditioning units, windows/curtain walls, etc.. BD also updates the PNAP in a timely manner.</p> <p>In the regular meetings with representatives from the building industry, the BD has also reminded authorised persons and registered structural engineers registered under the Buildings Ordinance that they should provide practical and effective measures in new buildings to cater the needs for external inspection and maintenance. Members of the meetings have also been invited to provide comments, recommendations and detailed design of specific facilities in this regard.</p> <p>The Committee on Construction Safety of the Construction Industry Council already set up a Task Force to discuss the issues related to RMAA works. The Task Force comprises representatives from trade associations, workers' unions, OSHC, the property management sector, professional bodies of the construction industry and relevant government departments. LD and BD will actively participate in the Task Force and explore how the safety of RMAA works can be enhanced through building design and implementation of preventive and protective measures for existing buildings. After the Task Force has fully deliberated with the relevant stakeholders and made the relevant recommendations, BD will, if necessary, revise its relevant PNAP or provide guidelines after consulting the relevant stakeholders according to BD's established mechanism.</p> <p>(b) <u>Special Enforcement Operations Targeting at Catering Safety in 2015</u></p> <p>According to information from the Census and Statistics Department, there were over 8 700 catering establishments in Hong Kong in September 2015. During the special enforcement operations targeting at OSH of the catering industry in 2015, LD conducted over 3 300 surprise inspections with about 130 prosecutions initiated and issued over 130 improvement notices and about 780 warnings.</p>



Follow-up items	Topic	Government's responses
		<p>(c) <u>Follow-up actions taken by LD in response to the observations and recommendations in Report No. 64 of the Director of Audit on the workplace inspections conducted by the Labour Inspection Division (LID) of LD in respect of employees' compensation insurance taken out by employers, including the comment that many workplaces had not been inspected for over three years</u></p> <p>The LID has stepped up monitoring of coverage of employees by employees' compensation insurance through improvements in three areas, including improvement in inspection strategies and monitoring of inspections, improvement in the integrity of the workplace database, and improvement in performance information. LID already reviewed the existing strategy of labour inspections and the mechanism of supervisory inspections, and drew up appropriate measures to strengthen the prevailing offence-prone approach inspection and enforcement strategy. Also, to provide a more comprehensive and updated database for mapping out inspections, LID already refined the operation guidelines and devised mechanism to enhance the integrity of the workplace database. LID also reviewed its performance indicators. In preparing the Controlling Officer's Report and providing performance information to the LegCo, LID now includes a remark, where appropriate, to reflect more clearly the number of inspections to workplaces that were found locked, removed or vacant. LD's Government Minutes reporting the progress of the implementation of the audit recommendations had been submitted to the Public Accounts Committee of the Legislative Council on 28 October 2015.</p> <p>(d) <u>Enforcement action taken by LD in respect of work-related injuries cases in which employers concerned did not report such cases to LD within the specified period</u></p> <p>According to the Employees' Compensation Ordinance (ECO), if an employee sustains an injury or dies as a result of an accident arising out of and in the course of employment, his/her employer is liable to pay compensation. ECO also stipulates that an employer must notify LD of any accident within the specified periods in a prescribed form, irrespective of whether the accident gives rise to any liability to pay compensation.</p> <p>If an employer is suspected of failing to give notice of an accident within the specified period, LD will immediately carry out follow-up actions and require the employer to provide explanation. Pursuant to our follow-up, most of the employers would then report the accidents to LD in the prescribed form. Where there is sufficient evidence that the employer without reasonable excuse fails to comply with the statutory requirements, LD will institute prosecutions against the employer. Any employer who, without reasonable excuse, fails to give notice of an accident commits an offence and is liable to a maximum fine of \$50,000.</p>

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		<p>Other than taking out follow-up actions in respect of individual cases, LD also reminds employers from time to time, through the mass media, advertisements on public transport, booklets/posters and seminars, to report work-related injuries or deaths within the specified periods as stipulated under ECO.</p> <p>(e) <u>Amount of compensation under ECO obtained by family members of an employee who died in a work accident</u></p> <p>If an employee dies as a result of an accident arising out of and in the course of employment, the employer shall be liable under the ECO to pay compensation for death to his/her surviving members of the family. Depending on the age of the deceased employee, the amount of compensation payable is equivalent to 36 months up to 84 months of his/her monthly earnings. At present, the minimum amount of compensation is \$375,950 and the maximum amount is \$2,189,880. The employer is also liable to reimburse the expenses of funeral and medical attendance on the deceased employee, up to a maximum of \$76,220, to the person who has paid such expenses. ECO does not limit the civil liability of the employer. Thus, where the fatality of the employee is caused by the negligence or other wrongful act of the employer, the family members may recover the above statutory compensation and also sue for damages under common law.</p>
10.	Measures to promote the employment of mature persons	Response has been circulated vide LC Paper No. CB(2)1388/15-16(01).
11.	Compulsory reinstatement and re-engagement	The Government was requested to provide a table illustrating the key differences in making an order for reinstatement (RI) or re-engagement (RE) under the current provisions of the Employment Ordinance (EO) and the proposed amendments to EO.

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		<p>Making of an RI/RE order by the court or Labour Tribunal (LT) in an unreasonable and unlawful dismissal case</p>	<p><b>Current provisions of EO</b></p> <p>The court or LT shall make an RI/RE order if:</p> <ul style="list-style-type: none"> <li>(i) the court or LT finds that such an order is appropriate; and</li> <li>(ii) both the employer and employee agree to the making of such an order.</li> </ul>	<p><b>Proposed provisions of the Bill</b></p> <p>The court or LT must make an RI/RE order if:</p> <ul style="list-style-type: none"> <li>(i) the court or LT finds that such an order is appropriate;</li> <li>(ii) the employee agrees to the making of such an order; and</li> <li>(iii) the court or LT finds that RI or RE of the employee by the employer is reasonably practicable.</li> </ul> <p>Before making a finding as to the reasonable practicability of an RI or RE order, the court or LT must give the employer and the employee an opportunity to present each of their cases and take into account the circumstances of the claim. Besides, the court or LT may request the Commissioner for Labour to submit a report containing information of the circumstances of the claim obtained in conciliation with contents of the report agreed to by both the employer and the employee.</p>

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			<p style="text-align: center;"><b>Current provisions of EO</b></p> <p>The employer shall pay to the employee the following sums as specified in the RI/RE order:</p> <ul style="list-style-type: none"> <li>(i) terminal payments that would have been awarded if no RI/RE order had been made; and</li> <li>(ii) compensation that would have been awarded if no RI/RE order had been made.</li> </ul>	<p style="text-align: center;"><b>Proposed provisions of the Bill</b></p> <p>The employer shall pay to the employee the following sums as specified in the RI/RE order:</p> <ul style="list-style-type: none"> <li>(i) terminal payments that would have been awarded if no RI/RE order had been made;</li> <li>(ii) compensation that would have been awarded if no RI/RE order had been made; and</li> <li>(iii) further sum.</li> </ul> <p>Relief from liability for the further sum may be applied for if, because of reasons attributable to the employee or a change of circumstances that has occurred beyond the employer's control, it is no longer reasonably practicable for the employer to reinstate or re-engage the employee.</p>
		<p>Penalty for non-payment of remedies referred to in item 2 above</p>	<p>An employer who, having failed to reinstate or re-engage an employee as ordered, wilfully and without reasonable excuse fails to pay any of the following specified entitlements commits an offence and is liable to a maximum fine of \$350,000 or imprisonment for 3 years on conviction:</p> <ul style="list-style-type: none"> <li>(i) terminal payments</li> <li>(ii) compensation.</li> </ul>	<p>An employer who, having failed to reinstate or re-engage an employee as ordered, wilfully and without reasonable excuse fails to pay any of the following specified entitlements commits an offence and is liable to a maximum fine of \$350,000 or imprisonment for 3 years on conviction:</p> <ul style="list-style-type: none"> <li>(i) terminal payments</li> <li>(ii) compensation</li> <li>(iii) further sum.</li> </ul>

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12.	Construction Industry Recruitment Centre (CIRC)	<p>The Government was requested to provide information about the usage of CIRC, the number of job vacancies from the construction industry; and the number of construction job vacancies involved in applications under the Supplementary Labour Scheme (SLS).</p> <p>(a) The CIRC of LD was opened in January 2016. As at 31 May 2016, there were 7 094 visitors using various facilities and services of CIRC. During the same period, CIRC organised 34 job fairs offering 2 875 vacancies and 1 428 job seekers attended on-the-spot interviews.</p> <p>(b) From January to May 2016, LD recorded 23 922 job vacancies from the construction industry.</p> <p>(c) From January to May 2016, a total of 1 177 construction job vacancies involved in SLS applications were received.</p>
13.	Employment support for ethnic minorities	Response has been circulated vide LC Paper No. CB(2)1582/15-16(01).
14.	Major findings of the 2015 Annual Earnings and Hours Survey	<p>The Government was requested to provide the following information:</p> <p>(a) <u>Patterns of Hours of Work of Employees Covered in the Quarterly Report on General Household Survey</u></p> <p>The Government was requested to provide information on the patterns of hours of work of employees covered in the Quarterly Report on General Household Survey (GHS) for April to June 2015.</p> <p>The median hours of work(1) during the 7 days before enumeration of employees(2) in different industries(3) in April - June 2015 based on the findings of GHS are set out in the table below. Owing to differences in the definition of working hours and coverage of employees between the working hours statistics obtained from GHS and those compiled based on the Annual Earnings and Hours Survey, the two sets of figures are not comparable.</p>

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Others	Review of the Work Incentive Transport Subsidy (WITS) Scheme	<p>At the Panel meeting on 21 June 2016, the Government was requested to provide the number of applications withdrawn by applicants under the WITS Scheme.</p> <p>The WITS Scheme has started receiving applications since October 2011. As at end-May 2016, LD completed processing of 328 323 applications. Of these, 32 089 applications (i.e. 9.8%) were withdrawn by the applicants.</p>												
Others	Hong Kong's occupational safety performance in 2015	<p>At the Panel meeting on 21 June 2016, the Government was requested to provide the accident figures of the Hong Kong-Zhuhai-Macao Bridge Related Hong Kong Projects.</p> <p>According to the records kept by LD, the Hong Kong-Zhuhai-Macao Bridge Related Hong Kong Projects recorded 71 industrial accidents, including two fatal accidents, in 2015.</p>												