

立法會
Legislative Council

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by the Administration)

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Panel on Manpower

**Minutes of policy briefing cum meeting
held on Monday, 23 January 2017, at 8:30 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Hon LEUNG Yiu-chung (Chairman)
Hon HO Kai-ming (Deputy Chairman)
Hon James TO Kun-sun
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon YIU Si-wing, BBS
Hon CHAN Chi-chuen
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Hon Andrew WAN Siu-kin
Hon Jimmy NG Wing-ka, JP
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon LUK Chung-hung
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon LAU Siu-lai

Member attending : Hon Charles Peter MOK, JP

Members absent : Hon WONG Kwok-kin, SBS, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon CHU Hoi-dick
Hon Tanya CHAN

Public Officers attending : Item III

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

Miss Annie TAM Kam-lan, GBS, JP
Permanent Secretary for Labour and Welfare

Mr Carlson CHAN Ka-shun, JP
Commissioner for Labour

Miss Mabel LI Po-yi, JP
Deputy Commissioner for Labour
(Labour Administration)

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

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

Item IV

Mr Eddie NG, SBS, JP
Secretary for Education

Mr Brian LO, JP
Deputy Secretary for Education (1)

Ms Pecvin YONG
Principal Assistant Secretary (Further Education)
Education Bureau

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

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

Ms Mina CHAN
Council Secretary (2) 1

Miss Lulu YEUNG
Clerical Assistant (2) 1

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I. Information paper issued since the last meeting

Members noted that no information paper had been issued since the last meeting.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)652/16-17(01) and (02))

2. Members agreed to the Administration's proposal to discuss "Enforcement of labour legislation by the Labour Administration Branch of the Labour Department" at the next regular meeting at 4:30 pm on 21 February 2017. The Chairman added that he would liaise with the Administration on the second discussion item for the next meeting.

(Post-meeting note: With the concurrence of the Panel Chairman, another item "Strengthening the regulation of employment agencies" had been included in the agenda of the meeting.)

III. Briefing by the Secretary for Labour and Welfare on the Chief Executive's 2017 Policy Address

(LC Paper Nos. CB(2)652/16-17(03), CB(2)669/16-17(01), The 2017 Policy Address booklet and The 2017 Policy Agenda booklet)

3. Acting Secretary for Labour and Welfare ("SLW(Ag)") briefed members on the major new and on-going initiatives pertaining to the labour and manpower portfolio undertaken by the Labour and Welfare Bureau ("LWB") and Labour Department ("LD"), as set out in the Chief Executive ("CE")'s 2017 Policy Address and Policy Agenda.

Action

(*Post-meeting note:* The speaking note of SLW(Ag) tabled at the meeting was issued to members vide LC Paper No. CB(2)690/16-17 on 23 January 2017.)

Employees' rights and benefits

Statutory Minimum Wage

4. Mr YIU Si-wing was gravely concerned that the implementation of the Statutory Minimum Wage ("SMW") had brought about adverse impact on economy and labour structure, including upsurge of inflation as well as difficulties of staff recruitment and retention in obnoxious sectors, as employees might prefer other jobs with more pleasant working environment and conditions. Mr YIU asked whether the Administration would consider importing labour to address labour shortage in certain sectors. Mr SHIU Ka-fai echoed a similar view. To safeguard local employees' rights and benefits, Dr Pierre CHAN did not subscribe to such view.

5. Dr LAU Siu-lai pointed out that the increase of the initial SMW rate from \$28 per hour in 2011 to the recommended rate of \$34.5 per hour in 2017 lagged far behind the inflation. Dr LAU held a strong view that the Administration should review the SMW rate on an annual basis so as to safeguard employees' basic livelihood. To address difficulties in staff recruitment and retention in specific sectors arising from the knock-on effect of implementation of SMW, Dr LAU was of the view that employers concerned needed to increase the pay of employees so as to attract or retain staff to work in these sectors. Mr Andrew WAN shared a similar view.

6. Mr LUK Chung-hung remarked that the recommended SMW rate of \$34.5 per hour to be effective from 1 May 2017 could not meet the public expectation and lagged behind the inflation in the past two years. Quoting the overseas practice in setting the SMW rate with an objective of protecting 10% of low-income employees, Mr LUK sought information on the number of employees with hourly wage below \$28 before the implementation of the initial SMW rate in May 2011 and the estimated number of employees with hourly wage below \$34.5 before the implementation of the recommended SMW rate in May 2017. He called on the Administration to review the SMW rate on an annual basis and to ensure that employees could share the benefits of economic development.

Action

7. Mr LEUNG Kwok-hung expressed the view that while implementation of SMW could help protect employees' basic livelihood, those employees receiving median monthly wage (i.e. around some \$14,800) or below still could hardly make both ends meet.

8. In response to members' concerns and views, Permanent Secretary for Labour and Welfare ("PSLW") made the following points:

- (a) as stipulated in the Minimum Wage Ordinance (Cap. 608) ("MWO"), the SMW rate should be reviewed at least once in every two years, without precluding more frequent rate review than a biennial review if it was considered appropriate and necessary;
- (b) the Minimum Wage Commission ("MWC"), which comprised members drawn from the labour sector, business sector, academia as well as the Government, had completed comprehensive data analyses and extensive consultation with stakeholders and members of the public in reviewing and deliberating the SMW rate. In performing its functions, MWC must have regard to the need to maintain an appropriate balance between the objectives of forestalling excessively low wages and minimizing the loss of low-paid jobs and to sustain Hong Kong's economic growth and competitiveness in accordance with MWO;
- (c) as stated in its report, MWC had adopted an evidence-based approach and reviewed the SMW rate in a comprehensive, objective and balanced manner. In reviewing the SMW rate, MWC considered a host of socio-economic factors and conducted scenario testing based on the local economic outlook. MWC had fully considered and taken into account the impact of the recommended SMW rate on wages of employees involved and additional wage bill to be borne by enterprises, in particular those of the low paying sectors, and on the unemployment rate and inflation. Premised on detailed analyses, in-depth assessment and thorough consideration, MWC had reached a consensus to recommend that the current SMW rate of \$32.5 per hour be raised to \$34.5 per hour; and

Action

Admin

- (d) information requested by Mr LUK Chung-hung in paragraph 6 above would be provided after the meeting.

9. SLW(Ag) added the following points:

- (a) the increase of the SMW rate from its prevailing level of \$32.5 per hour to \$34.5 per hour represented an increase of 6.2% which should be able to catch up with the concurrent rise in the consumer price index, given the latest trend in consumer price inflation and barring an abrupt pick-up in inflation. Taking into account the impact of the knock-on effect on pay hierarchies, the number of employees with pay rises owing to the uprating of SMW would eventually be greater than the number of employees earning just the SMW rate. Since the implementation of SMW, total employment also increased by about 270 000;
- (b) there was concern that if the review of the SMW rate was to be conducted on an annual basis, employers would correspondingly shorten the employment period thereby causing fragmented employment in the labour market. It was therefore imperative to carefully examine the issue and balance the interests of employees and employers; and
- (c) applications for importation of labour/professionals for specific job types or professions were dealt with under the respective schemes administered by LD and the Immigration Department. On the premise of according employment priority to local workers, importation of labour was allowed on an appropriate, limited and targeted basis to relieve the manpower shortage of individual sectors.

10. The Deputy Chairman did not subscribe to the view that review of the SMW rate on an annual basis would give rise to fragmented employment in the labour market. On the contrary, under the biennial review mechanism, the contractors would not make any provisions for wage adjustment when offering bids for a two-year service contract, such as security services in housing estates. Hence, the wage level of security guards concerned would remain unchanged throughout the contractual period.

Action

11. In response, PSLW explained that in making a recommendation on the SMW rate, MWC would need to consult various sectors of the community including organizations/representatives of employers and employees, consider submissions received in the course of consultations, and analyze and consider data and information in researches or studies. It would be difficult to compress the time needed for the review process. At this stage, the Administration considered it appropriate to conduct the review of the SMW rate every two years.

12. Dr Pierre CHAN sought information on the impact of increase in rental or property price on inflation as compared with that of the implementation of SMW. PSLW advised that in reviewing the SMW rate, MWC had taken into consideration the estimated increase in total operating expenses of enterprises, including staff cost and rental.

Standard working hours

13. Raising query as to whether legislating for standard working hours ("SWH") could be completed within the remaining tenure of the current-term Government, Dr KWOK Ka-ki criticized the Administration's lacking of credibility of establishing an SWH regime in Hong Kong as pledged by CE in his election manifesto. Sharing a similar view, Mr Andrew WAN expressed dissatisfaction at the Administration's delay in regulating working hours.

14. Mr POON Siu-ping was concerned whether the option of legislating for SWH would be included in the recommendations of the report to be submitted by the SWH Committee ("SWHC") by January 2017 on the working hours policy direction.

15. Mr YIU Si-wing envisaged that the adverse impact on economy and employment brought about by the implementation of SMW would further aggravate if SWH were to be introduced, including upsurge of price level and difficulties of staff recruitment and retention in obnoxious sectors.

16. PSLW responded that comprising members from the labour and business sectors, academia, the community and the Government, SWHC adopted an evidence-based approach in its deliberations on the subject of working hours policy and would balance the interests of employees and affordability of employers. It would submit its report to the Government within January 2017, setting out its recommendations on the working hours policy direction.

Action

17. Dr LAU Siu-lai was concerned about the timetable for implementation of SWH and expressed worries that the current-term Government would adopt legislating for "contractual working hours" in addressing the long working hours situation. She appealed to the next-term Government to seriously consider formulating the SWH policy.

18. SLW(Ag) responded that upon receipt of the report from SWHC, the Government would take full account of it and the views of various sectors of the community, and strive to map out within the term of the current Government the working hours policy direction that would suit the socio-economic situation of Hong Kong.

19. Mr KWOK Wai-keung queried about the representativeness of the report to be released by SWHC, given the employee representatives of the Labour Advisory Board ("LAB") had ceased from participating in the work of SWHC.

20. SLW(Ag) said that SWHC had examined various relevant information, including the Consultation Report on Legislating for Standard Working Hours submitted by the labour sector to CE and reiterated that it would submit its report to the Government within January 2017, setting out recommendations on the working hours policy direction.

Abolishing the "offsetting" arrangement progressively

21. Noting the Government's proposal of abolishing the "offsetting" arrangement, under which severance payments ("SP") and long service payments ("LSP") were offset against Mandatory Provident Fund ("MPF") accrued benefits arising from an employer's contribution, from a prospective date with no retrospective effect, Dr KWOK Ka-ki was of the view that low-income employees could hardly benefit from such proposal and their retirement needs could not be properly addressed. Dr KWOK suggested that a fund be set up with contribution from the Government and the business sector to assist the small and medium sized enterprises ("SMEs") to meet the extra payments of SP and LSP arising from the abolition of the offsetting arrangement.

22. Mr Andrew WAN pointed out that although it was proposed that SP/LSP payable for the employment period from the effective date of the Administration's proposal could not be "offset" by accrued benefits from

Action

MPF contributions, the total amount of SP/LSP to be paid by employers out-of-pocket would be reduced with a revised formula for calculating SP/LSP. He considered that the proposal was in effect manipulation of figures.

23. Mr SHIU Ka-fai reminded members that the long-established offsetting arrangement was extended to cover MPF schemes after extensive consultations with employers' associations and employees' unions and balancing all relevant considerations. Having regard to the existing operation difficulties of SMEs, abolition of the offsetting arrangement would go beyond employers' affordability and undermine the business environment. Eventually, it would jeopardize Hong Kong's competitiveness. To his understanding from some employers, it would also give rise to immediate dismissal of employees and re-employment under new contracts.

24. Noting the Administration's proposal to provide subsidies for employers on a reimbursement basis in ten years in order to share part of the SP/LSP expenditure arising from the progressive abolition of the "offsetting" arrangement, Mr KWOK Wai-keung considered the proposal viable. That said, in the light of the strong community call for abolition of the "offsetting" arrangement over the years, Mr KWOK held the view that the "offsetting" arrangement should be abolished as soon as practicable. He did not see the need to launch the engagement exercise with the business and labour sectors for a period of three months.

25. SLW(Ag) responded that the retirement protection system in Hong Kong comprised four pillars, including the Comprehensive Social Security Assistance ("CSSA") Scheme which served as a safety net for the needy, that were complementary to one another. Having regard to the need to strike a reasonable balance between the benefits of employees and the affordability of employers and the principle that the Government's financial commitment should be finite in quantum and duration, the Administration had thoroughly deliberated the proposal to progressively abolish the "offsetting" arrangement which would form the basis for further discussion. The Administration would in next three months engage the business and labour sectors, MPF trustees and relevant advisory boards in discussions, explain to them the Administration's proposal of progressively abolishing the "offsetting" arrangement and listen to their views. The aim was to revert to the Executive Council for decision on the finalized proposal before end June 2017.

Action

Review of the implementation of statutory paternity leave

26. Having regard to the Administration's undertaking of conducting a review on the implementation of statutory paternity leave ("PL") one year after its coming into operation from February 2015, Mr POON Siu-ping was concerned about when the review findings would be made available. Mr KWOK Wai-keung shared a similar concern and called on the Administration to expedite the review.

27. SLW(Ag) advised that LD was working on the review of statutory PL. Upon completion of the review in the second quarter of 2017, LD would report the outcome to LAB and then the Panel.

Continuing Education Fund

28. Dr KWOK Ka-ki considered that the Administration should proactively work with the labour organizations, such as the Hong Kong Confederation of Trade Unions and the Neighbourhood and Worker's Service Centre, with regard to planning of the Continuing Education Fund ("CEF") courses as appropriate.

29. Expressing concern about the problem of manpower mismatch, particularly in the new emerging industries, Mr Charles Peter MOK considered it imperative for LWB to work collaboratively with the Education Bureau ("EDB") and the Innovation and Technology Bureau to address the problem. To encourage the public to pursue continuing education, Mr MOK called on the Administration to make reference to the Singaporean's practice to raise the reimbursable ceiling for those who had exhausted the allowance. Mr MOK further asked about the timeframe for conducting a review of CEF courses. The Chairman shared a similar concern and enquired about the follow-up action to be taken.

30. Mr CHAN Chi-chuen said that the maximum sum of \$10,000 per eligible applicant on successful completion of reimbursable CEF course(s) should be increased. To encourage lifelong learning, each eligible applicant should be allowed to apply for the allowance up to the maximum in every five or ten years.

Action

31. Responding to members' concerns and views, PSLW made the following points:

- (a) at present, training courses under eight specified domains could be registered as CEF courses by application, subject to the assessment by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications ("HKCAAVQ") and approval by LWB. Besides, courses designed in accordance with the Specification of Competency Standards ("SCS") drawn up by the respective Industry Training Advisory Committees ("ITACs") under the Qualifications Framework ("QF") of EDB and registered as SCS-based courses under the Qualifications Register ("QR") might also apply for registration under CEF;
- (b) notably, most of the eligible applicants who had opened accounts with CEF had not exhausted the maximum sum of \$10,000 per eligible applicant; and
- (c) the Administration had commissioned an independent consultant to assist in conducting a review of CEF, covering the amount of reimbursable ceiling, how the course domains could be enriched and how the course monitoring mechanism could be enhanced. The consultant would consult the stakeholders, including the course providers as appropriate. It was expected that the review would be completed by mid 2017. Enhancement measures would then be launched as soon as practicable while an additional \$1.5 billion would be injected into CEF.

Improving work injury protection for employees in high-risk industries

32. Mr POON Siu-ping pointed out that it was set out in the CE's election manifesto that a special taskforce comprising employees, employers and representatives of Commissioner for Labour ("C for L") would be formed to undertake a study on improving protection for employees in high-risk industries in relation to insurance, compensation for work injuries, therapy and rehabilitation. Noting that the relevant study was being undertaken by an inter-departmental working group with members from relevant bureaux/departments, Mr POON considered that it had in effect deviated from CE's pledge. Nevertheless, Mr POON enquired about the specific options that had been worked out by the working group.

Action

33. C for L advised that the Task Force on Improving Work Injury Protection for Employees in High-risk Industries ("TFWIP") coordinated by LD was set up in February 2016 to explore the proposals put forward by the inter-departmental working group. Three working groups, one each on employees' compensation insurance ("ECI"), case processing and therapy/ rehabilitation, had been set up under TFWIP to further the discussions, conduct consultations and implement the agreed measures in phases once they were ready so as to improve protection for injured employees in high-risk industries. As a matter of fact, a series of improvement measures had been implemented, including the joint publication of a leaflet by LD and the Office of the Commissioner of Insurance to enhance public awareness of adequate ECI by employers and the general criteria of ECI premium rate setting, enhanced arrangements for medical clearance and work injury assessment, provision of training on occupational medicine and work injury assessment for medical staff of the Hospital Authority, and introduction of a premium-adjustment mechanism by the Employees' Compensation Insurance Residual Scheme for employers of selected high-risk industries who experienced difficulties in acquiring ECI cover. At the request of the Chairman, C for L agreed to provide written information on the implementation of the improvement measures of TFWIP.

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Drawing up a talent list

34. Expressing concern about little coverage on population policy in the CE's 2017 Policy Address, Mr CHAN Chi-chuen held the view that the Steering Committee on Population Policy ("SCPP") failed to monitor the implementation of relevant population policy initiatives. He considered that the population policy initiatives mainly paved the way for importation of labour/professionals who would eventually compete with local employees. Mr CHAN was concerned about the progress and the expected completion date of drawing up a talent list to attract foreign professionals to Hong Kong.

35. Mr Jeremy TAM took the view that various government bureaux/departments, including LWB, the Development Bureau, EDB and the Food and Health Bureau ("FHB"), had to work collaboratively in the formulation of population policy, including manpower planning and nurturing local manpower, so as to meet the various economic and development needs. Specifically, Mr TAM enquired how various government bureaux/departments had been coordinating their efforts in drawing up the talent list.

Action

36. SLW(Ag) advised that SCPP chaired by the Chief Secretary for Administration was tasked to monitor the implementation of population policy initiatives and coordinate efforts on population policy. PSLW added that concerned bureaux and departments had been actively pursuing various initiatives announced in the 2015 Policy Address. Specifically, LWB was following up on those related to supporting mature workers to work and creating a family friendly environment to support women employment. In addition, LWB had convened an inter-departmental working group and commissioned a consultancy study on the feasibility of drawing up a talent list to attract high-quality talent to support Hong Kong's development as a high value-added and diversified economy. The study was expected to be completed in 2017. The relevant consultant would draw reference from overseas experience and consult the stakeholders as appropriate. At the Chairman's request, PSLW agreed to provide information on the progress and expected completion date of drawing up the talent list.

Admin

Elderly employment

37. Noting that the eligible age for elderly CSSA would be raised from 60 to 65 to align with the direction of the population policy to extend retirement age and to encourage young-olds to join the workforce, Mr CHAN Chi-chuen was concerned about LD's employment support services for elderly persons aged between 60 and 64. Mr KWOK Wai-keung, Mr SHIU Ka-chun and Dr Fernando CHEUNG shared similar concerns. Dr CHEUNG sought information on the number of elderly persons aged between 60 and 64 who were receiving CSSA and the number of elderly persons aged 60 or above who had secured employment with LD's assistance in the past year. Mr SHIU sought information on the number of job vacancies for job seekers aged between 60 and 64 as displayed in LD's job centres in the past three months.

38. In response, SLW(Ag) and C for L made the following points:

- (a) LD had all along been committed to implementing various measures to encourage and attract mature persons to stay in or return to employment. LD had staged four large-scale thematic job fairs for middle-aged and mature persons since 2015. A total of 81 organizations had participated in these job fairs and had offered some 4 900 job vacancies. Among some 4 300 job applications that had been received

Action

on the spot, around 4 000 of them were submitted by job seekers aged 40 or above;

- (b) it was estimated that 2 600 able-bodied elderly persons aged between 60 and 64 who were receiving CSSA before the new policy took effect would be affected in the first year. Of those job seekers aged 60 or above registering for LD's employment services, the numbers of placements secured through LD's referral services were 303 in 2015 and 318 from January to November in 2016. Job seekers might be placed into employment either through the referral services of LD or by direct application to employers who advertised vacancies via LD. As job seekers who found work through direct application were not required to report to LD their application results, LD did not have statistics on these placements;
- (c) LD's Employment Programme for the Middle-aged ("EPM"), which originally covered only full-time employment, had been extended to cover part-time jobs since September 2015 with a view to encouraging employers to provide more suitable employment opportunities for middle-aged and mature job seekers. Over 2 500 placements of middle-aged and mature job seekers were recorded under EPM each year from 2014 to 2016; and
- (d) employers who used the recruitment service of LD were reminded to adhere to the statutory requirements and the relevant codes of practice against discrimination in employment. If LD found any discriminatory terms or requirements on age when vetting the vacancy information submitted by employers, it would not accept or display such vacancies. Therefore, job openings advertised via LD were not classified by age groups.

(The Chairman directed that the meeting be extended by 15 minutes.)

39. Dr Fernando CHEUNG and the Chairman considered the placement figures insignificant, having regard to the population size of the elderly aged between 60 and 64. Dr CHEUNG expressed grave concern about the Administration's manpower planning as well as employment/welfare services for elderly persons aged between 60 and 64.

Action

Mr SHIU Ka-chun was concerned about the difficulties facing the elderly job seekers in view of no specific provision of employment support services by LD. In the absence of legislation for age discrimination against job seekers, the Chairman was of the view that it would be difficult for the elderly to find employment. To his understanding, most elderly job seekers could only take up part-time jobs and the wages received were lower than the CSSA payments for elderly singletons.

Admin

40. At the request of Mr SHIU Ka-chun, Dr Fernando CHEUNG and the Chairman, the Administration agreed to provide information on the number of newly recruited government employees aged between 60 and 64 and the elderly population of the same age group in the second half of 2016.

Strengthening the regulation of employment agencies

41. Mr Andrew WAN considered that it was an improvement measure to introduce the Code of Practice for Employment Agencies ("EAs") ("the Code") which set out the requirements and standards expected of EAs, including those placing foreign domestic helpers ("FDHs"), by C for L. Mr WAN said that the Democratic Party was in support of the introduction of a relevant amendment bill into the Legislative Council ("LegCo"). However, Mr WAN remained concerned about the protection for FDHs who were forced to take out loans from financial institutions in their home countries or in Hong Kong and EAs' provision of false descriptions or misleading information on FDHs' profile.

42. SLW(Ag) advised that to enhance the professional standard and the service quality of the industry, LD had just promulgated the Code which set out the standards expected of EAs (including those placing FDHs) by C for L and relevant legislative requirements. LD would closely monitor the situation after the implementation of the Code. To further strengthen the regulation of EAs, LD planned to introduce an amendment bill into LegCo in the second quarter of 2017 to provide legal basis for the Code, and to impose heavier penalties on EAs (including those placing FDHs) overcharging job seekers or those operating without a licence. On the issue of charging FDHs of huge amount of intermediaries or training fees back in the helpers' home countries, the Administration had repeatedly raised its serious concerns with the governments of FDH home countries and their Consulates-General in Hong Kong, and urged them to tackle the problem to alleviate the hardship of their domestic helpers in Hong Kong.

Action

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

IV. Briefing by the Secretary for Education on the Chief Executive's 2017 Policy Address

(LC Paper No. CB(2)652/16-17(04), The 2017 Policy Address booklet and The 2017 Policy Agenda booklet)

43. The Secretary for Education ("SED") briefed members on the policy initiative on QF and major development of QF in 2016, details of which were set out in the Administration's paper.

(Post-meeting note: The speaking note of SED tabled at the meeting was issued to members vide LC Paper No. CB(2)690/16-17 on 23 January 2017.)

Development of Qualifications Framework

44. Dr Fernando CHEUNG was in support of the introduction of QF which established an accessible articulation pathway to promote lifelong learning and gave due recognition to the skills and experience acquired by practitioners in the workplace of relevant industries.

45. Noting the implementation of QF in certain industries since it was formally launched, Dr Pierre CHAN was concerned about the Administration's plan for promoting QF-recognized qualifications in employment.

46. SED advised that the Administration launched QF in 2008 to promote lifelong learning with a view to continuously enhancing the quality, professionalism and competitiveness of the workforce in Hong Kong. At present, 21 ITACs for 22 industries/sectors had been set up, covering 53% of the workforce in Hong Kong. The Administration had been reaching out to stakeholders of other industries and striving to assist in the setting up of ITACs which were industry-led and promote the understanding of the benefits of QF. Continuous efforts would be made in this regard.

Action

47. Dr CHIANG Lai-wan enquired whether the Administration would consider giving due recognition of QF in its recruitment policy for the civil service. For instance, a higher entry point for the government employees concerned if they had attained relevant QF-recognized qualifications.

48. SED responded that the Administration had followed up on members' views and suggestion on making reference to QF in the Government's recruitment policy. At present, EDB had taken the lead in adopting QF language in recruitment. EDB would liaise with the Civil Service Bureau to explore the application of the policy to other bureaux/departments in recruiting government employees as appropriate. For the non-governmental sector, it would be subject to individual trades and industries as well as employers. Dr CHIANG Lai-wan called on the Administration to expedite its work in adopting the relevant recruitment policy in government bureaux/departments so as to encourage the acceptance and recognition of QF.

Regulation of the beauty industry

49. Dr CHIANG Lai-wan noted that some practitioners in the beauty industry had obtained internationally recognized professional qualifications or QF-recognized qualifications on QR. She was concerned whether such qualifications would be duly recognized under the proposed new regulatory framework on use of medical devices in certain beauty treatment. Dr CHIANG called on EDB to liaise with FHB in this regard.

50. SED said that EDB had been following up on the issue. Principal Assistant Secretary (Further Education) of EDB ("PAS(FE)") added that after having commissioned an external consultant to conduct an in-depth study on the control of use of selected medical devices, FHB had put forward a proposal on the regulatory framework for medical devices, and would listen to the views of stakeholders.

Support for flexible mode of employment

51. Referring to a report of the Hong Kong Federation of Youth Groups released in October 2016 on the study of flexible mode of employment of the new generation, Mr SHIU Ka-chun drew members' attention to the increasing trend among the young people in taking up

Action

flexible mode of employment, such as part-time jobs or employment of short duration. In the circumstances, the employees' rights and benefits of these young people were not properly safeguarded and their working experience was not duly recognized by most employers. Mr SHIU called on the Administration to consider enhancing the Recognition of Prior Learning mechanism under QF for the purpose of giving due recognition to fragmented work experience acquired by these young people.

52. SED said that while recognizing the mode of employment among the younger generation and the associated problems facing them, to his understanding from the human resources sector, it was difficult to arrange recognition since these young people worked in various trades and industries and some might not have even completed the initial three- to six-month training.

53. Mr SHIU Ka-chun further called on the Administration to consider the recommendations set out in the abovementioned report so as to provide more support to those young people who adopted flexible mode of employment in securing better career development opportunities. These included setting up a platform to provide employment related information and introducing the concept of flexible employment in the life planning of secondary school students.

54. SED advised that the suggestion of establishing an employment-related platform would be relayed to LWB for consideration and the suggestion regarding life planning of secondary school students was duly noted.

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

Provision of support

55. Expressing the view that the Administration should formulate policy facilitating employees to pursue further education and training for the purpose of obtaining higher levels of qualifications under QF, the Deputy Chairman enquired whether the Administration would consider introducing in-service paid study leave to employees to attend QF-recognized courses.

Action

56. Dr Pierre CHAN shared a similar concern and pointed out that the long working hours situation in Hong Kong had made it difficult for employees to pursue further studies or skills upgrading after work.

57. Mr LEUNG Kwok-hung was concerned about the support for those young people who did not pursue further academic studies after the Hong Kong Diploma of Secondary Education Examination.

58. SED responded that there were different practices in individual trades and industries in providing support for employees in obtaining relevant qualifications. For some industries, including accounting, hotel and insurance industries, employers might grant paid study leave to employees in attaining specific qualifications which had been made part of the job requirements. In addition, the Pilot Training and Support Scheme, which had been launched in several industries, applied the mode of training-cum-work or integration of structured apprenticeship under which employers would provide support in assisting employees to obtain the specific qualifications. Overall speaking, in accordance with information gathered by the Association for Talent Development, employers of Hong Kong had been ranked comparatively high in respect of directing significant resources to nurturing and development of professionals.

59. Referring to the German/Switzerland model of apprenticeship programmes which had adopted a dual approach in delivering vocational-oriented education since high school and that considerable support had been gained from the two Governments, Mr LEUNG Kwok-hung and Dr Fernando CHEUNG expressed disappointment that the Government had not provided specific support to the operation of apprenticeship programmes in Hong Kong.

60. Dr Fernando CHEUNG expressed concern about the provision of specific support for various vulnerable groups, such as the elderly, people with disabilities and the ethnic minorities ("EMs"), in attending QF-recognized courses to enhance their employability.

61. SED responded that while LWB provided different support measures and employment services for various groups of job seekers, the Employees Retraining Board also provided a wide variety of training courses to improve the employability of local workers.

Action

Assessment of overseas academic qualifications

62. Mr SHIU Ka-chun expressed grave concern about the financial difficulties facing EMs in meeting the expenses for assessment of their academic qualifications acquired in their homeland, which might be recognized as meeting the standard of a particular QF level of qualification in Hong Kong. He appealed to the Administration to seriously consider providing subsidy for qualifications assessment fees to EMs in this regard.

63. PAS(FE) advised that HKCAAVQ provided qualifications assessment services on non-local qualifications. As a matter of fact, a similar suggestion was received previously regarding provision of Government subsidy to EMs in making use of the services. The Administration would give due consideration to the suggestion, taking into account that some local Hong Kong people were also holding non-local qualifications through study in Hong Kong or otherwise. SED added that the Administration had been providing support to EMs to attend the examination for the General Certificate of Secondary Education.

64. There being no other business, the meeting ended at 10:50 am.

Council Business Division 2
Legislative Council Secretariat
20 March 2017