

立法會

Legislative Council

LC Paper No. CB(2)1355/16-17
(These minutes have been seen
by the Administration)

Ref : CB2/PL/MP

Panel on Manpower

Minutes of meeting
held on Tuesday, 21 March 2017, at 4:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present :

- Hon LEUNG Yiu-chung (Chairman)
- Hon HO Kai-ming (Deputy Chairman)
- Hon Tommy CHEUNG Yu-yan, GBS, JP
- Hon CHAN Kin-por, BBS, JP
- Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
- Hon WONG Kwok-kin, 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
- Hon Christopher CHEUNG Wah-fung, SBS, JP
- Dr Hon Fernando CHEUNG Chiu-hung
- Hon POON Siu-ping, BBS, MH
- Dr Hon CHIANG Lai-wan, JP
- Hon Andrew WAN Siu-kin
- Hon CHU Hoi-dick
- Hon Jimmy NG Wing-ka, JP
- Hon SHIU Ka-fai
- Hon SHIU Ka-chun
- 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 : Dr Hon Helena WONG Pik-wan

Public Officers attending : Item IV

Mr Carlson CHAN Ka-shun, JP
Commissioner for Labour

Mr William MAK Chi-tung
Assistant Commissioner for Labour
(Employees' Rights & Benefits)

Mr Raymond LEUNG Kwok-kee
Senior Labour Officer (Employees' Compensation)
Labour Department

Item V

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

Ms Melody LUK Wai-ling
Assistant Commissioner for Labour
(Labour Relations)

Ms Jessica LAU Hang-yee
Senior Labour Officer
(Workplace Consultation Promotion)
Labour Department

Attendance by invitation : Item IV

Hong Kong Workers' Health Centre

Ms TANG Man-yee
Project Manager

The Hong Kong Federation of Trade Unions -
Occupational Safety and Health Association

Mr IP Wai-ming
Vice Chairman

Alliance of Self Help Group For The Occupational
Injuries Diseases

Mr YUEN Kai-kwong
Programme Officer

1st Step Association

Ms NG Yan-yee
Centre in charge

Employees' Safety, Training Rehabilitation Services
Limited

Mr Bill TONG Man-pui
Chairman

Neighbourhood and Worker's Service Centre

Mr CHEUNG Man-wah
Labour Affairs Organizer

Injured Employees and Family Members Mutual Help
Association

Mr KWOK Ching-kuen
Secretary

工傷及職業病工友互助之家

Ms LI Lai-yim
Member

Catholic Diocese of HK Diocesan Pastoral Centre for
Workers - NT

Mr YAU Chi-hang
Program Officer

Hong Kong Catholic Commission for Labour Affairs

Miss LAW Pui-shan
Policy Research Officer

The Hong Kong Federation of Trade Unions Rights
Benefits Committee

Mr KWAN Shing-kit
Secretary

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

Ms Kiwi NG
Legislative Assistant (2) 1

Miss Lulu YEUNG
Clerical Assistant (2) 1

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I. Confirmation of minutes of previous meeting
(LC Paper No. CB(2)1013/16-17)

The minutes of the policy briefing cum meeting held on 23 January 2017 were confirmed.

II. Information paper issued since the last meeting

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

III. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1015/16-17(01) and (02))

Regular meeting in April 2017

3. Members agreed that the following items proposed by the Administration be discussed at the next regular meeting at 4:30 pm on 18 April 2017:

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- (a) Major findings of the 2016 Annual Earnings and Hours Survey; and
- (b) Preparatory work for the implementation of the revised statutory minimum wage rate.

Information note on the paid maternity leave in selected places

4. The Chairman advised that the Research Office of the Legislative Council ("LegCo") Secretariat had prepared an information note on the paid maternity leave ("ML") in selected places (IN05/16-17) and would brief members on the salient points of the information note at the Panel's April meeting.

IV. Handling of disputes in work injury compensation claims under the Employees' Compensation Ordinance
(LC Paper Nos. CB(2)1015/16-17(03) and (04))

5. Commissioner for Labour ("C for L") briefed members on the handling of work injury compensation claims by the Labour Department ("LD") under the Employees' Compensation Ordinance (Cap. 282) ("ECO") including cases involving dispute between employers and employees.

6. Members noted a background brief entitled "Employees' compensation system" prepared by the LegCo Secretariat.

Presentation of views by deputations

7. At the invitation of the Chairman, a total of 11 deputations presented their views on the handling of dispute in work injury compensation claims under ECO. A summary of views of these deputations is in the **Appendix**.

Discussion

Administration's consolidated response to the views expressed by deputations

8. At the invitation of the Chairman, C for L gave a consolidated response to the views expressed by deputations as follows:

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- (a) LD attached great importance to expediting the handling of dispute in work injury compensation claims. Since May 2016, LD had on a pilot basis introduced enhanced support services for non-fatal cases in dispute in some branch offices of the Employees' Compensation Division to facilitate early intervention and timely resolution of differences so as to protect the rights and benefits of employees. As at the end of 2016, under the enhanced support services, LD initiated follow-up actions for 500 cases with major dispute. Among the 274 cases concluded, 231 (84%) were resolved. For the 43 unresolved cases, employees in 24 cases had applied for legal aid or sought adjudication by the Court. The response of the enhanced support services was considered satisfactory;
- (b) in 2016, there were some 52 000 fatal/non-fatal work injury compensation cases reported under ECO, including 36 420 cases with incapacitation for a period exceeding three days. Most of the non-fatal cases in dispute were resolved after LD's follow-up actions. As at the end of 2016, 4 740 non-fatal cases involving dispute raised by employers, employees and/or other relevant stakeholders required LD's follow-up actions. It was also noted that in the same year employees in 710 cases, which might not necessarily involve any dispute, applied for legal aid or sought adjudication by the Court for various reasons. LD would endeavour to follow up dispute cases to help enable mutual communication and settle differences between both employers and employees;
- (c) the handling of dispute between employers and employees in work injury compensation claims under the proposal of empowering LD to adjudicate as put forth by some deputations would resemble the present handling arrangement whereby the majority of work injury compensation claims in dispute had been resolved after LD's follow-up. It was envisaged that under the mechanism proposed by the deputations, the Court's determination would still be indispensable for the unresolved cases;

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- (d) at present, there were around 50 to 60 insurance companies underwriting employees' compensation insurance ("ECI" or commonly known as "labour insurance") business. Statistics of the insurance industry had shown underwriting losses in the business of ECI in the past few years. There appeared keen competition in the market and there was no sign that insurance companies were overcharging employers in taking out ECI policies. In addition, employers who experienced difficulties in acquiring ECI cover might participate in the Employees' Compensation Insurance Residual Scheme ("ECIRS") which had been launched by the insurance industry since 2007 to offer assistance to employers, including those of the selected high-risk industries, in securing the necessary ECI cover. The Administration considered that the current mode of operation for ECI cover to be provided by the private sector was functioning well and it was not advisable to make the drastic change of establishing a central employees' compensation fund bearing in mind that its cost-effectiveness was yet to be established; and
- (e) under the public healthcare system, employees suffering from work injuries could receive a range of integrated services, including accident and emergency, outpatient, inpatient and rehabilitation services. Injured employees were provided with an additional channel to receive timely medical and rehabilitation services in the private sector under the Voluntary Rehabilitation Programme ("VRP") launched by the insurance industry to facilitate their speedier recovery and early return to work. From the implementation of VRP in 2003 till the end of June 2016, employees of over 20 000 work injury cases had participated in VRP. LD would continue to liaise with the insurance industry with a view to seeking improvement to the programme.

Employees' compensation insurance cover and related statistics

9. Mr LUK Chung-hung said that to his understanding from some labour unions, some employers had not taken out labour insurance policy to cover their liabilities under the law or they had forced their employees to become self-employed persons. Whenever there were work injury

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incidents, employers concerned would not report the work injuries and industrial accidents to LD as required by the law so as to evade the statutory responsibility of making employees' compensation to the injured employees. Under such circumstances, it would easily give rise to disputes in work injury compensation claims. Mr LUK sought information on the number of cases concerning employers who had not taken out ECI cover and the number of employers prosecuted in the past few years. Mr LUK also expressed concern about the Administration's plan of stepping up the publicity in this regard. Dr CHIANG Lai-wan was concerned that for a work injury compensation case in dispute, the injured employees would face considerable financial pressure because of having no employees' compensation or income to support their livelihood during the claim period.

10. C for L advised that in 2016, LD issued a total of 604 summonses in respect of employers' failure to take out ECI policies under ECO, of which 567 summonses were convicted. The number of employers who failed to take out ECI cover had slightly dropped in 2016 as compared with the corresponding figures in the past few years. In response to the Chairman's concern about the difficulties faced by some employers in taking out ECI cover for their casual employees, C for L said that the relevant employers might approach ECIRS for assistance.

11. Noting that there were 567 convicted cases in connection with employers' failure to take out insurance policies under ECO in 2016, Dr CHIANG Lai-wan took the view that the Administration should review the penalty level so as to increase the deterrent effect.

12. C for L said that in the past few years, the highest fine imposed on a single case of an employer's failure to take out ECI was \$40,000 and in another convicted case the employer was sentenced to six-month imprisonment. The existing penalty level stipulated by ECO imposed deterrent effect on law-defying employers. Assistant Commissioner for Labour (Employees' Rights & Benefits) ("AC for L (RB)") added that LD regularly organized seminars to promote employers' understanding of their statutory obligations under ECO. If any employer, without reasonable grounds, refused or delayed payment of compensation and medical expenses under ECO, LD would, in the course of handling the dispute, urge or warn the employer to pay relevant compensation to the employee promptly. LD would also take out prosecution against the offending employer when there was sufficient evidence on contravention of ECO.

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13. Mr POON Siu-ping sought information on the number of prosecutions taken against employers who refused or delayed payment of compensation under ECO. C for L advised that in 2016, there were 63 convicted summonses against offending employers who, without reasonable grounds, refused or delayed payment of compensation under ECO.

14. With respect to the 710 work injury compensation cases in 2016 in which employees concerned applied for legal aid or sought adjudication by the Court, Mr POON Siu-ping enquired about the nature of the disputes and the processing time of the cases. C for L said that the Judiciary had not furnished LD with a breakdown of the information requested.

Handling of dispute in work injury compensation claims

15. In respect of the 500 cases with major dispute as followed up by LD under the enhanced support services in 2016, Mr POON Siu-ping asked how major dispute was defined and the relevant processing time. Senior Labour Officer (Employees' Compensation) of LD said that the 500 cases mainly involved dispute on issues of principle such as whether the case was a work injury. According to ECO, if employees sustained injuries in accidents arising out of and in the course of employment, employers were liable to pay employees' compensation even if the employees might have committed acts of fault or negligence when the accidents occurred. Upon receipt of a work injury compensation case, LD would promptly carry out follow-up actions. For a case in dispute, LD would scrutinize the case in detail, explain the provisions of ECO to both parties and collect detailed information relating to the accident. Upon collation of all the relevant information, LD would inform both parties about its views on the likelihood and relevance of the case being a work injury. The time taken by LD to handle a work injury case hinged on the facts of the case and the progress of receiving the necessary information, for example, whether it was necessary for LD to request medical report and police investigation report from the relevant government departments and organizations. The time taken for cases without the need for collection of further information would be about a few weeks.

16. The Deputy Chairman was concerned that in addition to suffering from the physical pain resultant from work injury, injured employees would need to undergo a time-consuming process and face immense pressure during the period of making compensation claims, including

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bearing the burden of proof and dealing with insurance companies and adjudicators. The Deputy Chairman enquired whether it was feasible to streamline the procedures with a view to shortening the processing time. C for L reiterated that implementation of the enhanced support services for non-fatal cases in dispute by LD enabled timely resolution of differences and safeguarded the employees' rights and benefits.

Establishment of a central employees' compensation insurance fund/system

17. Mr LUK Chung-hung, Mr POON Siu-ping and Dr CHIANG Lai-wan enquired whether the Administration would consider the proposal of setting up a central ECI fund. Dr CHIANG also called on the Administration to make reference to such recommendation as set out in the submission from 勞工工作者聯合陣線.

18. Mr LEUNG Kwok-hung was of the view that the establishment of a central employees' compensation system could better safeguard the rights and benefits of employees in work injury compensation cases.

19. C for L said that LD had studied thoroughly the suggestion of establishing a central ECI fund over the years. As explained earlier, the Administration considered that no drastic change should be made to the ECI mode of operation at present. At the request of the Chairman, C for L agreed to provide a paper summarizing the Administration's position on the proposal of establishment of a central ECI fund.

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Setting up a compensation fund for sudden death cases

20. Having regard to the "no-fault" compensation system under ECO, Dr Fernando CHEUNG held the view that the Administration should ensure that injured employees could receive compensation in an expeditious manner and avoid seeking adjudication by the Court as it would be a time-consuming and painful process for the employees concerned. Dr CHEUNG asked whether the Administration would consider setting up a compensation fund for sudden death cases.

21. C for L said that neither the International Labour Organisation nor most advanced economies had drawn up guidelines on sudden deaths caused by overexertion at work or definitions of such in the context of employees' compensation. As a matter of fact, the causes of sudden deaths other than by work accidents in the course of employment were complex and might involve a multitude of factors. Referring members

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to the Secretary for Labour and Welfare's reply to a question raised at the Council meeting of 30 November 2016 regarding sudden death of employees resultant from overexertion at work, C for L advised that relevant information would be collected and analysed in the coming years, and the issue would be followed up as appropriate. Specifically, LD would commence collecting detailed information on sudden deaths other than by work accidents in the course of employment, including obtaining relevant information from the employers and family members of deceased employees, such as whether the employees concerned had worked for a prolonged period of time prior to their sudden deaths.

Coverage of Employees' Compensation Ordinance

22. Mr LUK Chung-hung said that the Hong Kong Federation of Trade Unions had all along been urging for a review of ECO, including the coverage of ECO in terms of types of injuries and occupational diseases, and the assessment criteria for determining compensation payable to injured employees. The Deputy Chairman called on the Administration to consider expanding the scope of ECO to include sudden death at work.

23. Mr POON Siu-ping shared deputations' views regarding the need of conducting a comprehensive review of ECO. Dr CHIANG Lai-wan held the view that it was necessary to conduct a review on the coverage of ECO and enhance employers' awareness of the types of work injuries covered.

24. C for L explained that Hong Kong had made reference to international standards in determining the types of injuries and the respective percentages of loss of earning capacity for assessing the compensation payable to the employees concerned as specified in the First Schedule to ECO. As a matter of fact, the Employees' Compensation (Ordinary Assessment) Board had been making reference to the First Schedule to ECO as well as the criteria adopted by other economies in assessing the percentage of loss of earning capacity permanently caused by the injuries. Nonetheless, LD would continue to keep in view international development in this respect.

Empowering LD in handling work injury dispute

25. Dr CHIANG Lai-wan called on the Administration to make reference to the recommendations put forward by 勞工工作者聯合陣線 in its submission and consider empowering LD to handle disputes

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between employers and employees over work injury compensation claims, having regard to the difficulties faced by injured employees if adjudication was sought from the Court on the dispute cases.

26. Dr LAU Siu-lai was concerned that for a work injury compensation case in dispute, the employer concerned would suspend making compensation payments (including sick leave payments and medical expenses) to the injured employee who would face considerable financial pressure to support the livelihood. The Chairman shared a similar concern. With reference to the practice in the United Kingdom, Japan and Taiwan, Dr LAU called on the Administration to consider empowering LD to adjudicate on disputes between employers and employees over work injury compensation claims.

27. Mr LEUNG Kwok-hung said that the proposal would achieve the intended purpose only if LD would be empowered to require the employers concerned to comply with its decision on the work injury compensation claims.

28. Responding to members' views and concerns, C for L and AC for L (RB) made the following points:

- (a) LD had since May 2016 introduced enhanced support services for non-fatal cases in dispute. Depending on the merits of the case, Occupational Health Officers of LD would also provide expert advice from the medical point of view. Upon collation of all relevant information, LD would provide both parties with its views on the likelihood and relevance of the case being a work injury. Notably, such views had been accepted by both parties in the majority of dispute cases. As regards the 710 cases in which employees had applied for legal aid or sought adjudication by the Court in 2016, it was understood that some of them had been resolved through mediation;
- (b) the work injury compensation systems in different countries/places varied having regard to their own circumstances. That said, work injury compensation claims which could not be resolved after intervention of an administrative body would be determined by the court in other common law jurisdictions;

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- (c) LD had been playing a proactive role in handling work injury compensation claims, and most dispute cases were resolved after LD's follow-up actions. The Administration did not see the need to introduce an adjudicating mechanism in LD in addition to the existing judicial system; and
- (d) certain funds, for instance, the Loan Scheme for Employees Injured at Work and Dependants of Deceased Employees, could provide temporary financial relief to injured employees or family members of victims of work accidents.

29. With respect to doubtful work injury cases which had been resolved with the enhanced support services rendered by LD, Dr LAU Siu-lai sought information on the number of such cases which were concluded because the employees gave in. C for L responded that LD did not maintain such statistics. It was noteworthy that among the employees' compensation claims resolved without the need of seeking adjudication by the Court, compensation was granted to the employees concerned in accordance with the statutory requirements.

Improving work injury protection for employees in high-risk industries

30. Mr POON Siu-ping pointed out that it was stated in the election manifesto of the Chief Executive that a special taskforce comprising employees, employers and representatives of 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 the Task Force on Improving Work Injury Protection for Employees in High-risk Industries ("TFWIP") which was coordinated by LD and set up in February 2016, Mr POON requested the Administration to provide information on the implementation of the agreed measures by TFWIP in respect of improvements relating to insurance, compensation for work injuries and therapy/rehabilitation services.

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31. In concluding the discussion, the Chairman called on the Administration to take heed of concerns and views expressed by the deputations and members regarding handling of work injury compensation claims. The Chairman further requested the Administration to provide a consolidated response to the recommendations made in submissions from deputations attending the meeting.

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

V. Cultivating good people management and family friendly culture in employment

(LC Paper Nos. CB(2)1015/16-17(06) and (07))

32. Deputy Commissioner for Labour (Labour Administration) ("DC for L (LA)") briefly took members through the work of LD in promoting good people management and family-friendly employment practices ("FFEPs") as set out in the Administration's paper.

33. Members noted a background brief entitled "Good people management and family-friendly employment practices" prepared by the LegCo Secretariat.

34. Dr Helena WONG said that the Democratic Party was very concerned about implementation of FFEPs, which were crucial to help employees achieve a better balance between work and family life. She appealed to the Government to take the lead in promoting FFEPs.

35. DC for L (LA) responded that LD had all along been promoting good people management practices, including FFEPs, by adopting a three-pronged strategy targeting at the community, enterprise and industry levels. At the community level, LD promoted FFEPs through a wide range of publicity channels and various educational and promotional activities. It had also from time to time been working with the newspaper media to publicize relevant messages to the public. From June to September 2015 and November 2016 to January 2017, LD published news supplements series to share the successful examples of the practical experiences of a number of enterprises in implementing different modes of good people management practices, and the benefits such practices had brought to employers and employees.

Performance indicators

36. Noting that 2 700 companies and organizations had participated in the 2015-2016 Family-Friendly Employers Award Scheme ("Award Scheme"), Mr POON Siu-ping considered that the number represented a small proportion of the total number of companies in Hong Kong. Mr POON expressed concern about the effectiveness of the

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Administration's efforts in FFEP promotion and enquired whether it had conducted any study on the adoption of FFEP by employers and whether there were any concrete performance indicators at the community, enterprise and industry levels. Dr Helena WONG shared a similar concern.

37. DC for L (LA) said that while it was difficult to quantify the benefits brought about by FFEPs to employers and employees in light of the unique business environment and mode of operations in different industries and establishments, LD had been closely cooperating with nine industry-based Tripartite Committees and 18 Human Resources Managers' Clubs to discuss and share views with employers' associations, trade unions and human resources executives on the effective means to implement various aspects of good people management practices and FFEPs. Relevant industry-based guidelines and publications had also been compiled to facilitate employers' understanding of their statutory responsibilities and their adoption of good people management practices. These guidelines and publications served as references for employers in relevant industries to establish harmonious labour relations and family-friendly workplaces. DC for L (LA) further said that there was an increase in the number of participating companies/organizations in the biennial Award Scheme organized by the Home Affairs Bureau and the Family Council in support of FFEPs from some 1 800 in 2013-2014 to about 2 700 in 2015-2016.

Enhancing employees' leave benefits

38. Mr Michael TIEN declared that he was owner of a fashion chain store. With a view to retaining staff, FFEPs had been adopted in his company since 1998 and that employees had been provided with various kinds of leave benefits which were more favourable than the statutory requirements. Mr TIEN was, however, concerned about the difficulties faced by the small and medium enterprises ("SMEs") in adoption of similar FFEPs because of limited manpower and additional costs so incurred. Instead of legislating for provision of additional leave entitlements, he called on the Administration to consider providing SMEs with financial incentives, such as tax concession, to encourage employers to grant leave benefits above the statutory requirements to their employees.

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39. DC for L (LA) responded that in cultivating good people management and family-friendly culture, LD had all along been proactively disseminating relevant information through a wide range of publicity channels and various promotional activities to encourage employers, having regard to individual circumstances and affordability of the enterprises, to adopt practicable good people management measures and FFEPs. Mr Michael TIEN's suggestion would be relayed to the relevant policy bureaux/government departments for consideration.

40. Dr CHIANG Lai-wan said that the Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB") had all along been urging the Administration to enhance employees' leave benefits and consider legislating for compassionate leave and parental leave to meet employees' needs.

41. Mr LEUNG Kwok-hung was of the view that in promoting good people management and FFEPs, the Administration should also address a number of related labour issues, such as provision of paid casual leave and alignment of number of statutory holidays ("SHs") with that of general holidays ("GHs"). Mr LEUNG expressed disappointment that little enhancement had been made over the years in this regard.

42. DC for L (LA) said that employers had all along been encouraged to adopt employee-oriented management policies and offer employees' benefits which were more favourable than the statutory requirements, having regard to their operational needs and individual circumstances. On the suggestion of legislating for additional holidays, it was necessary to handle the matter with care having regard to its read-across implications and employers' affordability.

43. Dr CHIANG Lai-wan said that DAB was concerned about the progress of the Labour Advisory Board ("LAB")'s deliberation on the alignment of number of SHs with that of GHs which was imperative in cultivating FFEPs. Dr CHIANG and the Chairman urged the Administration to take forward the subject as soon as practicable. DC for L (LA) advised that LD would continue to facilitate LAB's further deliberation on the issue.

[The Chairman suggested and members agreed that the meeting would be further extended to allow more time for discussion.]

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44. Dr LAU Siu-lai expressed concern that the existing 10-week paid ML in Hong Kong lagged far behind other places, including the Mainland, Japan, Singapore, Australia, Germany and Russia. Dr LAU called on the Administration to consider extending the ML entitlements on par with the international practices. Pointing out that the existing maternity provisions in EO had not been reviewed for several decades, Dr Helena WONG was of the view that legislative amendments should be introduced to extend the duration of paid ML to 14 weeks.

45. The Chairman advised that the Research Office of the LegCo Secretariat had prepared an information note on the paid ML in selected places and would brief members on the salient points of the information note at the Panel's April meeting.

46. Noting that the Administration had undertaken to conduct a review on the implementation of statutory paternity leave ("PL") one year after its coming into operation from February 2015, Dr Helena WONG was concerned about when the review findings would be made available. Dr WONG took a strong view that the duration of statutory PL should be extended to seven days with full pay. DC for L (LA) advised that labour rights and benefits had been enhanced in a progressive manner. LD was working on the review of the implementation of statutory PL. Upon completion of the review, LD would report the outcome to LAB and then the Panel in 2017.

Legislating for standard working hours

47. Expressing grave reservations about adoption of FFEPs by employers on their own accord, Dr LAU Siu-lai considered that FFEPs should be cultivated through legislative means. In her view, implementation of standard working hours ("SWH"), instead of legislating for "contractual working hours" to address the long working hours situation, was a fundamental step to foster a pro-family culture and environment. Mr LEUNG Kwok-hung and Mr POON Siu-ping echoed similar views.

48. DC for L (LA) said that the SWH Committee had submitted its report to the Government in January 2017. The Government would take full account of the report 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.

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Support measures for female employees

49. Dr Helena WONG held the view that the Government should provide more subsidized child care services with a view to fostering a family-friendly culture in employment and unleashing female workforce. Consideration should also be given to providing incentives to large enterprises to provide child care services to their employees. Mr POON Siu-ping raised a similar concern.

50. DC for L (LA) said that with a view to helping working mothers balance family and work commitments, the Government would continue to launch measures to enhance child care services, details of which were set out in the Administration's paper on welfare initiatives submitted to the Panel on Welfare Services in January 2017. DC for L (LA) added that among some 2 700 companies/organizations which had participated in the Award Scheme in 2015-2016, 262 companies/organizations had provided child care services for their employees. The Chairman and Dr Helena WONG urged the Administration to step up its publicity effort on such exemplary cases to encourage more employers to follow suit.

51. The Deputy Chairman expressed concern about the difficulties faced by lactating employees, including the use of nursery room, in their workplace. He enquired whether the Administration would consider setting up an inter-departmental working group for the promotion and support for breastfeeding.

52. DC for L (LA) advised that the Food and Health Bureau had set up the Committee on Promotion of Breastfeeding in April 2014 under the chairmanship of the Under Secretary for Food and Health to enhance the sustainability of breastfeeding and promote breastfeeding as the norm for baby care widely accepted by the general public. In addition, LD had published a casebook on successful experiences of enterprises in implementing FFEPs, including measures facilitating their employees' breastfeeding, for extensive distribution to employers and human resources executives with a view to inspiring them to integrate these good people management practices into their corporate employment policies.

53. There being no other business, the meeting ended at 7:00 pm.

Panel on Manpower

Meeting on Tuesday, 21 March 2017, at 4:30 pm

Meeting to receive views on

**"Handling of disputes in work injury compensation claims under
the Employees' Compensation Ordinance"****Summary of views and concerns expressed by deputations**

No.	Name of deputation	Submission / Major views and concerns
1.	Hong Kong Workers' Health Centre	<ul style="list-style-type: none"> ● Concern was expressed about the financial pressure faced by injured employees because of having no employees' compensation or full amount of income to support their livelihood when the relevant work injury compensation cases were in dispute. ● The deputation called on the Administration to conduct a review of the Employees' Compensation Ordinance ("ECO") and give due consideration to introducing legislative amendments concerning provision of rehabilitation services to facilitate speedier recovery and early return to work of the injured employees.
2.	The Hong Kong Federation of Trade Unions - Occupational Safety and Health Association	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1043/16-17(01)
3.	Alliance of Self Help Group For The Occupational Injuries Diseases	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1015/16-17(05)
4.	1st Step Association	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1015/16-17(05)
5.	Employees' Safety, Training Rehabilitation Services Limited	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1015/16-17(05) ● LC Paper No. CB(2)1088/16-17(01)
6.	Neighbourhood and Worker's Service Centre	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1015/16-17(05)
7.	Injured Employees and Family Members Mutual Help Association	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1032/16-17(01)

No.	Name of deputation	Submission / Major views and concerns
8.	工傷及職業病工友互助之家	<ul style="list-style-type: none">● The deputation appealed to compressing the processing time for work injury compensation claims so as to reduce the psychological pressure of the injured employees.● The deputation called on the Administration to consider establishing a central employees' compensation fund and to engage relevant professionals for the purpose of ensuring a fair manner in the assessment of work injuries cases.● Disappointment at the Labour Department ("LD")'s lack of authority to handle disputes in work injury compensation claims under ECO.
9.	Catholic Diocese of HK Diocesan Pastoral Centre for Workers - NT	<ul style="list-style-type: none">● Concern was expressed about the inadequate protection accorded to injured employees under ECO. In the event of a dispute in work injury raised by the employer, injured employees might need to undergo a time-consuming legal proceedings and face considerable financial pressure because of having no employees' compensation or income to support their livelihood during the litigation period.● LD should be empowered to handle disputes in work injury compensation claims under ECO.● The deputation called on the Administration to consider establishing a central employees' compensation system.
10.	Hong Kong Catholic Commission for Labour Affairs	<ul style="list-style-type: none">● LC Paper No. CB(2)1015/16-17(05)● LC Paper No. CB(2)1032/16-17(02)
11.	The Hong Kong Federation of Trade Unions Rights Benefits Committee	<ul style="list-style-type: none">● LC Paper No. CB(2)1088/16-17(02)