

For information
on 23 January 2017

Legislative Council Panel on Manpower

2017 Policy Address Policy Initiatives of the Labour and Welfare Bureau

Purpose

The Chief Executive (CE) delivered his 2017 Policy Address on 18 January 2017. This paper sets out the latest developments of the major new and on-going initiatives pertaining to the labour and manpower portfolio to be undertaken by the Labour and Welfare Bureau (LWB) and the Labour Department (LD) as set out in the 2017 Policy Address and Policy Agenda.

Policy priorities / New initiatives

2. To rise up to the challenges of our human resources brought about by ageing population and shrinking labour force, the Government has since the 2014 Policy Address been implementing a series of initiatives to drive the population policy objectives of unleashing the local labour force, attracting talent from outside Hong Kong and developing an age-friendly city. Promoting employment of local workers and protecting the rights and benefits of workers have always been high on Government's agenda. The Government will amend our legislation to increase the Statutory Minimum Wage (SMW) rate and will take full account of the report to be submitted by the Standard Working Hours Committee (SWHC) in formulating the working hours policy direction that suits Hong Kong's socio-economic situation. LD will also continue to provide diversified recruitment and employment services for employers and job seekers with different employment needs, and promote continuous learning. LD will continue to take rigorous enforcement actions against violation of labour laws to protect the well-being of workers. We will carry out the new initiatives set out in paragraphs 3 to 14 below.

Population Policy

Promoting continuing education and self-advancement

3. The Government will inject an additional \$1.5 billion into the Continuing Education Fund to encourage the public to pursue continuing education.

Providing Employment Support and Safeguarding Employees' Welfare

Enhancing employment support for ethnic minority (EM) job seekers

4. The Government is very concerned about the employment situation of ethnic minorities (EMs). LD has been making proactive efforts to provide dedicated services that cater to the needs of EM job seekers. To further strengthen the employment support for EMs, especially those of South Asian origins, LD will engage staff proficient in EM languages to provide employment services for EM job seekers at selected job centres on a pilot basis in 2017.

5. Staff conversant with EM languages and cultures can assist job centres in providing employment services, in particular personalised employment advisory service, for EM job seekers. They can also help LD proactively reach out to EM communities and encourage those with employment needs to make use of LD's employment services. LD will evaluate the effectiveness of the initiative in light of its operational experience and consider the long-term arrangements.

Following up on the report of SWHC with a view to mapping out the working hours policy direction

6. SWHC has since its establishment completed a number of tasks which included a comprehensive working hours survey and two rounds of extensive public consultation, and examined the relevant information, including the Consultation Report on Legislating for Standard Working Hours submitted by the labour sector to the Chief Executive. SWHC will submit its report to the Government within this month (January 2017), setting out recommendations on the working hours policy direction.

7. Upon receipt of the report, the Government will carefully consider the views of SWHC and those the community in a holistic manner, and will strive to map out within the term of the current Government the working hours policy direction that suits the socio-economic situation of Hong Kong.

Maintaining Hong Kong as a favourable place of work for foreign domestic helpers (FDHs)

8. At present, there are over 350 000 FDHs working in Hong Kong, assisting more than 280 000 families to take care of the household chores and of their elderly family members and young children, thereby unleashing our local work force. With the ageing population, we expect that the demand for FDHs by Hong Kong families will continue to grow. LD will promote and strengthen

co-operation with governments of FDH home countries and enhance the publicity and educational efforts in a continuing process of maintaining Hong Kong as an attractive destination of work for FDHs.

Strengthening the regulation of employment agencies (EAs)

9. LD has been taking rigorous enforcement actions against EAs on charging job seekers excessive placement fees in order to protect the rights of job seekers. To enhance the professional standard and the service quality of the industry, LD has just promulgated the Code of Practice for Employment Agencies (the Code) which sets out the requirements expected of EAs (including those placing FDHs) by the Commissioner for Labour.

10. To further strengthen the regulation of EAs, LD plans to introduce an amendment bill into the Legislative Council (LegCo) in the second quarter of this year 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. In the latter connection, the maximum penalty will be increased from \$50,000 to \$350,000 and three years of imprisonment, with a view to attaining a more potent deterrent effect.

Following up on the outcome of the review of the implementation of statutory paternity leave (PL)

11. Statutory PL has come into operation since 27 February 2015. Eligible male employees are entitled to three days' PL with pay at four-fifths of their average daily wages. The implementation of statutory PL has so far been smooth.

12. The Government has undertaken to review the implementation of statutory PL one year after its coming into operation. LD is working on the review. Upon completion of the review, LD will report the outcome and recommendations to the Labour Advisory Board and this Panel.

Preparing for the implementation of the revised SMW rate

13. After completing the latest round of review of the SMW rate, the Minimum Wage Commission (MWC) has reached a consensus to recommend that the current SMW rate of \$32.5 per hour be increased by 6.2% to \$34.5 per hour. The Chief Executive in Council has accepted the recommendation of MWC. Subject to the approval of LegCo, the revised SMW rate will take effect on 1 May 2017.

14. To tie in with the implementation of the revised SMW rate, LD will launch extensive publicity activities through various channels such as broadcasting Announcements in the Public Interest (APIs) on television and radio, widely displaying posters and distributing leaflets, advertising in different media, organising seminars and staging roving exhibitions. LD's 24-hour enquiry hotline of 2717 1771 (handled by "1823") will answer public enquiries about the revised SMW rate while offices of the Labour Relations Division will provide in-person consultation service. In addition, LD will conduct targeted inspection campaigns for effective enforcement of the SMW legislation.

On-going initiatives

15. Apart from the aforementioned policy priorities/ new initiatives, LWB and LD will continue to carry out the on-going initiatives in the areas of promoting employment, providing vocational training, promoting family-friendly and elder-friendly measures, safeguarding employees' rights and welfare, promoting occupational safety and health, etc. as set out in paragraphs 16 to 47 below.

Promoting Employment

Enhancing employment support services for mature persons

16. To promote the employment of mature persons, LD will continue to implement a series of measures such as organising employment briefings for mature persons and holding experience sharing sessions for employers on employing mature persons so as to enhance employment support services for them. LD will continue to stage district-based job fairs on part-time employment at job centres to meet the needs of some mature persons who are more interested in taking up part-time jobs, and organise large-scale thematic job fairs targeted at middle-aged and mature job seekers to enhance their employment opportunities.

17. In addition, LD will continue to provide on-the-job training allowance of up to \$3,000 per month for a period of three to six months to employers to encourage them to engage middle-aged and mature job seekers and provide them with on-the-job training under the Employment Programme for the Middle-aged. The programme, which originally covered only full-time employment (i.e. working 30 hours or more per week), has been extended to cover part-time jobs.

Encouraging employers to adopt friendly employment practices for the elderly through continued publicity

18. LD has all along been encouraging employers, having regard to the individual circumstances of their enterprises, to adopt friendly employment practices for mature persons, including extending the working life of their employees and adopting more flexible modes of employment, etc., so as to establish suitable working conditions and environment to attract mature persons to stay in or return to employment.

19. LD will continue to promote relevant messages to the public through various publicity channels and a wide range of educational and promotional activities. Such messages include elderly persons being a potential supply of labour force, and encouraging employers to adopt friendly employment practices for elderly persons at the workplace. Activities to publicise the message include widely distributing thematic publications, staging roving exhibitions, publishing newspaper feature articles, placing advertisements at public transport network, broadcasting APIs on television and radio, as well as conducting meetings and exchanges with business executives and human resources managers from time to time.

Providing the dedicated employment information e-platform for job seekers with higher education

20. To strengthen employment support for job seekers with higher education, in particular Hong Kong students who are educated in tertiary institutes outside Hong Kong, the second generation of Hong Kong emigrants who are interested in working in Hong Kong as well as persons from overseas with higher academic/ professional qualifications, LD launched, in December 2016, a dedicated employment information e-platform. The e-platform aims to enhance their understanding of the Hong Kong employment market and facilitate them to search and apply for suitable job openings through the new dedicated webpage.

21. LD is collaborating with relevant bodies, including career service centres and student associations of local and overseas universities, and Hong Kong Economic and Trade Offices overseas and in the Mainland, to publicise this dedicated employment information e-platform to graduates of local universities and persons with higher education residing outside Hong Kong. LD has also contacted employers and their associations to publicise this e-platform with a view to canvassing suitable job vacancies from them.

Strengthening employment services for job seekers with disabilities

22. LD provides personalised employment services to job seekers with disabilities fit for open employment and helps them find suitable jobs. To strengthen the employment support for job seekers with disabilities, LD has launched a two-year pilot scheme in September 2016 to engage a non-governmental welfare organisation to provide professional psychological and emotional counselling service to job seekers with disabilities in need of this service. LD will review the pilot scheme upon its completion and map out the way forward in light of the review findings.

23. LD will continue to provide follow-up service for job seekers with disabilities for at least six months after placement. LD will help employees with disabilities adapt to their work as soon as possible and assist employers in better understanding the special needs of their employees with disabilities, so as to help both parties build up good working relationship.

24. To enhance the employability of persons with disabilities, LD will continue to implement the Work Orientation and Placement Scheme which encourages employers to offer more employment opportunities for persons with disabilities and provide them with coaching and support through the provision of an allowance.

Implementing the Employment Services Ambassador (ESA) Programme for EMs

25. LD will continue to implement the ESA Programme for EMs, under which trainees of the Youth Employment and Training Programme (YETP)¹ who can communicate in EM languages are employed as ESAs at LD's job centres, industry-based recruitment centres and job fairs to undergo six-month on-the-job training. Not only can ESAs help LD officers in providing services for EM job seekers but the programme can also enable ESAs to enrich their own working experience and resume, which would benefit their job search in the open market. The programme, launched in September 2014, has so far engaged a total of 78 ESAs.

Organising thematic job fairs

26. LD will continue to organise large-scale thematic job fairs, including those that are suitable for EM, middle-aged and mature job seekers as well as those with employment and vacancy information on the Mainland. Through

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

staging these job fairs, LD strengthens support to EM, middle-aged and mature job seekers in finding suitable jobs and assists job seekers, particularly young people, understand and seize employment opportunities on the Mainland.

Promoting family-friendly employment practices (FFEP)

27. The Government has been encouraging employers to adopt “employee-oriented” good people management measures and to implement FFEP with a view to helping employees balance their roles and responsibilities at work and in the family. Making the workplace family-friendly is a shared responsibility of the entire community. Employers may adopt different types of FFEP having regard to the individual circumstances of their enterprises and needs of their employees.

28. LD is one of the facilitators in promoting FFEP. Relevant information has been disseminated to the community through a wide range of publicity channels and various educational and promotional activities such as publications, seminars, thematic exhibitions, promotional videos, APIs on television and radio, newspaper feature articles, advertisements in periodic publications of major employers’ associations and trade union federations, advertisements in public transport network as well as meetings and exchanges with business executives and human resources managers from time to time.

Providing Vocational Training

Providing retraining courses and support services for different social groups

29. The Employees Retraining Board (ERB) has been providing training courses and support services for different social groups. In 2017-18, ERB will continue to focus on social groups with special needs in the development of courses and services. For instances, ERB will offer training courses and support services for mature persons and organise training courses in the support centres for EMs. ERB will extend the “Modular Certificates Accumulation System” to other courses with market demand and the “First-hire-then-train” Programme to more industries to allow trainees (in particular female trainees) who have work or family commitments to make flexible arrangements for further studies, acquire recognised qualifications, and re-enter the labour market. ERB will also improve the operation of the “Smart Starter” service to provide registration, referral and follow-up services of part-time jobs for new arrival trainees.

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

30. VTC launched the Traineeship Scheme (the Scheme) in end-2011 to apply the structured apprenticeship arrangements to the beauty care and hairdressing industries. The Scheme provides in-service training and relevant vocational education to youngsters aged 15 or above so that they can learn and work at the same time and accumulate the requisite knowledge and skills for starting their career in services industries. As at November 2016, VTC had enrolled 660 trainees under the Scheme.

Manpower Development

Attracting Overseas Talent

31. LWB has commenced a consultancy study on the feasibility of drawing up a talent list which would serve to attract high-quality talent in a more effective manner to support Hong Kong's development as a high value-added and diversified economy. The study is expected to be completed this year.

Alleviating manpower shortage of individual sectors

32. The Government has all along been closely monitoring the manpower demand and supply for different sectors. We have also strengthened training initiatives to attract new entrants to the sectors. On the premise of according employment priority to local workers, importation of labour is allowed on an appropriate, limited and targeted basis to relieve the manpower shortage of individual sectors. Employers facing genuine difficulties in local recruitment can apply for importation of skilled workers on a limited scale under the Supplementary Labour Scheme (SLS), thereby addressing the manpower needs of individual industries with labour shortage. LD will continue to administer the SLS in accordance with the principle of giving priority to local workers in employment.

Enhancing efficiency in job search and recruitment through the Construction Industry Recruitment Centre (CIRC)

33. LD will continue to facilitate local construction workers to find jobs and employers of the industry to recruit workers through CIRC. The Centre provides a venue for employers, contractors and sub-contractors of the trade to organise job fairs and conduct on-the-spot job interviews with job seekers, enhancing the efficiency in job search and recruitment. LD will also continue

to collaborate with the Construction Industry Council (CIC) closely so as to achieve better synergy of the services between the two.

Safeguarding Employees' Rights and Welfare

Improving work injury protection for employees in high-risk industries

34. 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, case processing and therapy/ rehabilitation, have been set up under TFWIP to further the discussions, conduct consultations and implement the agreed measures in phases once they are ready so as to improve protection for injured employees in high-risk industries.

Promoting Occupational Safety and Health

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

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

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

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

37. LD has enhanced collaboration with property management sector to promote work-at-height safety in the repair and maintenance works. In this regard, a Task Force has been formed between LD and the Hong Kong

Association of Property Management Companies Limited to step up the promotion of work-at-height safety to the industry like use of suitable working platforms instead of ladders for working above ground and wear of safety helmets with chin straps.

38. LD has also partnered with OSHC to ride on Home Affairs Department's community platform to reach the upstream stakeholders like owners' incorporations, property owners and tenants for raising their safety awareness of work-at-height safety in connection with repair and maintenance works. LD will continue to collaborate with the stakeholders to organise safety talks and seminars. Through the Committee on Construction Safety of CIC and the relevant task forces formed thereunder, LD will explore with industry stakeholders on ways to foster safety culture and implement measures to eliminate the hazards of work-at-height, including the formulation of industry guidelines.

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

39. With the commencement of a number of mega works projects and a large number of maintenance works projects for old buildings, and in anticipation of the continuous vibrant development of the construction industry, there are increasing job opportunities in the industry. The number of construction workers increased by almost 70% from over 62 000 in 2011 to over 106 000 in the first three quarters of 2016. In view of this challenge, LD will continue to promote the occupational safety and health of construction workers through publicity, education and enforcement, including prevention of accidents caused by systemic deficiencies by containing work risks at source.

40. Apart from conducting over 50 000 routine site inspections each year, LD from time to time launches special enforcement operations to deter work practices contravening work safety requirements, with focus on high-risk processes such as lifting operations, work-at-height, electrical work, truss-out scaffold works, sea-based construction works, etc. LD will take immediate enforcement actions upon discovery of breaches of safety legislation. LD launched a number of special enforcement operations in 2016, with a total of 210 Suspension Notices (SNs) and 673 Improvement Notices (INs) issued, and 534 prosecutions to be initiated. As regards the enforcement figures for the construction industry as a whole (inclusive of the figures for special enforcement operations), as at end December 2016 LD issued a total of 621 SNs and 1 632 INs, with 1 868 prosecutions initiated. Besides, LD is also highly concerned about the safety of workers working on road/ at roadside and has stepped up inspection and enforcement.

41. LD also strives to prevent accidents caused by systemic deficiencies at source. One of the initiatives is to enhance liaison with major works project proponents, and ask them to urge their contractors to strengthen their site safety management systems and step up safety audits of major works projects so as to eliminate potential work hazards, especially in respect of high-risk process. On work safety for sea-based construction works, LD organised with Marine Department (MD) eight safety seminars on marine construction work safety for the front line staff of the Hong Kong-Zhuhai-Macao Bridge Project from June 2015 to December 2016. In addition, LD and MD launched 26 joint enforcement operations from the 4th quarter of 2014 to December 2016. The two Departments have taken rigorous prosecution against those work practices which are in contravention of the safety requirements.

42. In 2017, LD will tackle systemic risks by strengthening the analysis of underlying systemic risks of serious construction accidents, instituting targeted inspections and enforcement actions, organising seminars on thematic work safety (e.g. lifting operation, work-at-height, electrical work, etc.), and formulating codes of practice on work safety.

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

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

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

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

46. LD will also continue to tailor-make simple and reader-friendly promotional leaflets for EM workers, and organise site visits, talks and regional roving exhibitions in collaboration with workers’ unions and organisations and trade associations to enhance their safety awareness. Work safety messages in EM languages will also be promulgated in local weekly EM newspapers.

Youth Development

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

47. To provide our youths the opportunity of experiencing foreign culture and customs and broadening their horizons through living and working temporarily overseas while holidaymaking, Hong Kong has hitherto established bilateral WHSs with 11 economies (including New Zealand, Australia, Ireland, Germany, Japan, Canada, Korea, France, the United Kingdom (UK), Austria and Hungary). Youths aged 18 to 30 may apply for working holiday visas with these economies. Save for the UK and Austria which allow Hong Kong youths to stay for up to 24 months and six months respectively, participants of our other nine WHSs are allowed to stay in the host economies for up to 12 months for holidaying. During their stay, the participants can take up short-term employment and/ or studying short-term courses (except Ireland which disallows such under its standing visa policy). Since the inception of WHSs, some 75 000 Hong Kong youths have participated in these Schemes. LD will continue to enhance the promotion of the Schemes and will seek to expand WHS to other economies so that more of our youths can enrich their global exposure.

Conclusion

48. The Government will continue working closely with employers and employees as well as different sectors of the community in implementing the various labour and manpower initiatives outlined above.

Labour and Welfare Bureau
Labour Department
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