

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1372/17-18  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/MP

**Panel on Manpower**

**Minutes of meeting**  
**held on Tuesday, 20 March 2018, at 4:30 pm**  
**in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon KWOK Wai-keung, JP (Chairman)  
Dr Hon Fernando CHEUNG Chiu-hung (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon YIU Si-wing, BBS  
Dr Hon KWOK Ka-ki  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, JP  
Hon CHU Hoi-dick  
Hon HO Kai-ming  
Hon SHIU Ka-fai  
Hon SHIU Ka-chun  
Dr Hon Pierre CHAN  
Hon LUK Chung-hung  
Hon Jeremy TAM Man-ho
- Member attending** : Hon Charles Peter MOK, JP
- Members absent** : Hon WONG Kwok-kin, SBS, JP  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Andrew WAN Siu-kin  
Hon Jimmy NG Wing-ka, JP

**Public Officers  
attending** : Item III

Dr LAW Chi-kwong, GBS, JP  
Secretary for Labour and Welfare

Mr Caspar TSUI Ying-wai, JP  
Under Secretary for Labour and Welfare

Miss Leonia TAI Shuk-yiu, JP  
Deputy Secretary for Labour and Welfare (Welfare) 1

Mr Daniel FONG Siu-wai  
Principal Assistant Secretary for Labour and Welfare  
(Manpower)

Mr Esmond LEE Chung-sin, JP  
Head, Working Family and Student Financial  
Assistance Agency

Item IV

Ms Agnes LO Kit-mui  
Assistant Commissioner for Census and Statistics  
(Labour)

Ms Wanda YUE Sze-fan  
Senior Statistician (Labour)  
Census and Statistics Department

Mr Raymond HO Kam-biu  
Assistant Commissioner for Labour (Development)

Mr Desmond HOU Ka-chun  
Principal Economist  
Financial Secretary's Office

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

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

Ms Kiwi NG  
Legislative Assistant (2) 1

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**I. Information papers issued since the last meeting**

(LC Paper Nos. CB(2)1008/17-18(01), CB(2)1037/17-18(01) and CB(2)1042/17-18(01))

Members noted that the following papers had been issued since the last meeting:

- (a) letter dated 7 March 2018 from Dr KWOK Ka-ki suggesting the Panel to hold a joint meeting with the Panel on Transport to discuss issues relating to employees' exercising trade union rights;
- (b) letter dated 12 March 2018 from Dr Fernando CHEUNG suggesting the Panel to hold a special meeting to discuss occupational safety and health measures for bus captains; and
- (c) joint letter dated 13 March 2018 from Dr KWOK Ka-ki, Mr Alvin YEUNG, Ms Tanya CHAN and Mr Jeremy TAM suggesting the Panel to hold a joint meeting with the Panel on Transport to discuss issues relating to regulation of working hours of professional drivers.

2. The Chairman informed members that the Administration proposed to discuss "Occupational disease and occupational health situation in 2017" in the April meeting, which would be considered under agenda item II below. He suggested and members agreed that the Administration be requested to address concerns about occupational health of bus captains under this discussion item.

3. Members further agreed that the Administration be requested to provide written responses to concerns raised in the two letters mentioned in paragraph 1(a) and 1(c) above.

**II. Date of next meeting and items for discussion**

(LC Paper Nos. CB(2)1036/17-18(01) and (02))

Regular meeting in April 2018

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4. Members agreed that the following items proposed by the Administration be discussed at the next regular meeting at 10:30 am on 27 April 2018:

- (a) Occupational disease and occupational health situation in 2017; and
- (b) Implementation of statutory minimum wage.

**III. Proposed further enhancement measure of Continuing Education Fund and additional funding injection**  
(LC Paper Nos. CB(2)1036/17-18(03) and (04))

5. At the invitation of the Chairman, Secretary for Labour and Welfare ("SLW") briefed members on the proposed further enhancement measure of Continuing Education Fund ("CEF") and further additional funding injection of \$8.5 billion into CEF, details of which were set out in the Administration's paper.

6. Members noted an updated background brief entitled "Continuing Education Fund" prepared by the Legislative Council ("LegCo") Secretariat.

Proposed further enhancement measure

7. While welcoming the Administration's proposed further enhancement measure to improve the operation of CEF, Mr SHIU Ka-chun expressed concern about the measures to be taken by the Administration to boost the low participation rate.

8. SLW advised that the Administration proposed various enhancement measures to CEF, including relaxing the upper age limit for CEF applicants, expanding the scope of CEF courses, lifting the restrictions on the validity period and maximum number of reimbursement claims and enhancing the quality assurance monitoring of CEF courses. With the proposed expansion of the scope of CEF courses, on top of the existing 7 800 registered CEF courses, an addition of around 4 000 courses, including information technology ("IT")-related courses, currently registered in the Qualifications Register ("QR") would become eligible CEF courses. It was roughly estimated that the number of eligible CEF applicants would increase by about 390 000 upon the

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relaxation of the age limit to 70. All in all, these measures would help increase the utilization of CEF.

9. Mr Charles MOK called on the Administration to review the operation of CEF and implement enhancement measures from time to time. The Chairman was of the view that the Administration should work out a review timetable for making continuous enhancement to the operation of CEF.

*Subsidy ceiling*

10. Dr CHIANG Lai-wan and Mr SHIU Ka-chun welcomed the Administration's proposed increase of CEF subsidy ceiling from the current level of \$10,000 to \$20,000 per applicant. Dr KWOK Ka-ki said that he raised no objection to the proposed increase. Mr Charles MOK was supportive of the Administration's proposed increase of CEF subsidy ceiling and re-activation of some 680 000 closed CEF accounts.

11. Mr HO Kai-ming said that the Hong Kong Federation of Trade Unions ("HKFTU") welcomed the proposed increase of the CEF subsidy ceiling and urged the Administration to consider further raising it to \$40,000. Mr LUK Chung-hung was concerned about the Administration's response to HKFTU's request, which was supported by the Panel in a motion passed at the meeting on 21 November 2017.

12. SLW advised that the Administration had considered the views of the Panel as well as the public and other stakeholders on the subsidy ceiling of CEF, including the two motions passed by the Panel. After careful consideration, the Financial Secretary announced in his 2018-2019 Budget the proposed increase in CEF subsidy ceiling from the current level of \$10,000 to \$20,000 per applicant, with a view to further encouraging people to pursue continuing learning so as to better equip themselves amid the rapidly changing vocational, technological and socio-economic developments.

13. Dr KWOK Ka-ki enquired whether the proposed increase of CEF subsidy ceiling would take retrospective effect for those CEF courses with commencement date after the announcement in the 2018-2019 Budget. SLW replied in the negative. SLW said that the implementation of enhancement measures with retrospective effect would give rise to complex operational issues and significant additional administrative costs, which was considered not cost effective and

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proportionate. Moreover, setting a clear commencement date for the proposed CEF enhancement measures, including the new subsidy ceiling, would enable members of the public to plan ahead for taking CEF courses.

*Co-payment ratios*

14. Dr KWOK Ka-ki was gravely concerned that the Administration proposed to raise the co-payment ratio by learners for the second \$10,000 of the CEF subsidy to 40%. Dr KWOK called on the Administration to consider aligning the co-payment ratio by learners at 20% for both the first and second \$10,000 of the CEF subsidy. Mr LUK Chung-hung sought explanation for the proposed increase in the co-payment ratio by learners to 40% for the second \$10,000 of the CEF subsidy.

15. SLW responded that the Administration noted that when CEF was launched initially, certain course providers immediately increased courses fees to around \$12,500 to keep close to the subsidy ceiling, but with no major revisions in the course content. At present, courses with fees below \$12,500 constituted about 78% of all CEF courses. To avoid the recurrence of similar situations arising from the increased subsidy ceiling, the Administration proposed to raise the co-payment ratio by learners for the second \$10,000 subsidy to 40%, while maintaining the prevailing co-payment ratio for the first \$10,000 subsidy (i.e. 20%). The proposed arrangement would enable learners to make a more prudent decision on taking CEF courses, thereby helping to safeguard the effective use of the subsidy.

16. Mr LUK Chung-hung disagreed with the need to raise the co-payment ratio of the second \$10,000 to 40% in a bid to ensure the effective use of the subsidy. He pointed out that learners had to meet the prescribed attendance requirement in order to claim reimbursement for the CEF course fees, which had already ensured the effective use of the CEF subsidy.

*Scope of Continuing Education Fund courses*

17. In respect of the proposal to expand the scope of CEF courses to all courses registered under QR, Dr KWOK Ka-ki sought clarification as to whether it would cover high-level courses, such as degree and master courses.

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18. Deputy Secretary for Labour and Welfare (Welfare) 1 affirmed that under the enhancement measures of CEF, any eligible course registered in QR, including degree and master courses, could be eligible to be registered as CEF courses. While the proposed increase in CEF subsidy ceiling to \$20,000 might not be able to sufficiently cover the generally higher fees of these courses, learners might consider making choices of using CEF or seeking other financial support provided by the Government for specific training programmes.

19. Mr HO Kai-ming considered that the current scope of CEF courses under QR was too narrow with primary focus on areas relating to language ability, art and literature. Mr HO called on the Administration to consider widening the scope to cover certificate courses on job-specific skills, such as driving and electrical work, which would enhance employees' employability upon completion of the courses.

20. Mr Charles MOK welcomed that online IT-related courses could be registered as CEF courses provided that they were registered under QR. To his understanding, course providers in the IT industry were making efforts to meet the relevant requirements for the registration of courses under QR. He added that CEF courses should be specifically designed to cater for the manpower requirements amid the changing socio-economic development needs.

21. SLW said that members' concerns and suggestions were noted and would be duly considered. The pre-requisite requirement of QR registration for registration of CEF courses could assure the quality of CEF courses. He added that there were courses in preparation for examinations, as well as those relating to road safety and improvement to driving skills in QR. Course providers who wished to include their courses under the "Reimbursable Course List" of CEF might follow the relevant procedures for registration under QR.

*Scope of subsidy*

22. Mr Jeremy TAM sought clarification as to whether the reimbursable CEF courses must be employment-related. SLW advised that CEF courses might not necessarily have direct relationship with the learners' current jobs. The Government's policy objective of CEF was to encourage the public to pursue continuing learning and education as well as self-enhancement, particularly in terms of work skills in a wider perspective.

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23. Noting that claimants who had successfully completed language courses and passed the specified benchmark tests/examinations at the specified (or higher) level could claim reimbursement for the relevant benchmark test/examination fees, Mr Jeremy TAM was of the view that the scope of CEF subsidy should be extended to cover test/examination fees related to vocational skills, such as tests for commercial vehicle driving licences, examinations for registration as electrical workers and trade tests for the construction industry. Expressing a similar view, Mr HO Kai-ming envisaged that it would foster the popularity of the relevant courses.

24. SLW pointed out that CEF had been focused on learning and education. The benchmark test/examination fee would be reimbursable if it was an integral part of the subject CEF course and the overall course fee.

25. Mr Charles MOK, however, pointed out that the examinations for various professions/skills were not necessarily incidental to any training courses. He called on the Administration to consider expanding the CEF subsidy to cover the examination fees for professional qualifications. The Chairman added that the Labour and Welfare Bureau ("LWB") should study the matter further with the Education Bureau.

*Age limit*

26. In respect of the relaxation of the upper age limit for CEF applicants from 65 to 70, Dr CHIANG Lai-wan appealed to the Administration to consider further lifting the restrictions on age limit to 80 or totally abolish the limit with a view to promoting life-long learning and meeting the learning aspiration of the elderly.

27. SLW advised that CEF had been established to encourage local workers, by providing them with subsidy, to pursue continuing education and training with a view to better equipping themselves amid the rapidly changing vocational, technological and socio-economic developments. For elderly persons who aspired to further study, apart from courses under CEF, they could also make good use of educational and developmental activities provided with nominal charges at some 200 Neighbourhood Elderly Centres and District Elderly Community Centres. In addition, the Elder Academy Scheme had been launched since 2007 to promote life-long learning of the elderly persons.



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Quality assurance and monitoring of courses

28. Dr KWOK Ka-ki expressed concern about the need to impose a maximum of four-year validity period for registration of CEF courses. Deputy Secretary for Labour and Welfare (Welfare) 1 said that the proposal aimed to enhance the quality assurance and monitoring of CEF courses. At present, there was no validity period of registration for some CEF courses. As one of the enhancement measures, it was proposed that every CEF course was required to be registered under QR and would have a validity period of four years or until the expiry of the QR registration, whichever was earlier. Course providers could apply for renewal of the courses upon expiry of the registration. All CEF courses would be subject to a more robust documentation checking system upon renewal. Learners of the registered CEF courses would not be affected by the enhancement measure.

29. Mr LUK Chung-hung asked whether the Administration would consider establishing a complaint mechanism in respect of the quality of CEF courses. SLW said that complaints on the quality of CEF courses received would be referred to the Hong Kong Council for Accreditation of Academic and Vocational Qualifications. The Administration had no plan to establish a complaint mechanism in this regard.

Proposed further funding injection

30. Dr CHIANG Lai-wan and Mr SHIU Ka-chun welcomed the further additional funding injection of \$8.5 billion into CEF.

31. Mr POON Siu-ping noted from paragraph 9 of the Administration's paper that it was estimated that CEF would operate until mid-2026 with the increase in the total funding provision to \$16.2 billion and that around 610 000 learners in total would be benefited. However, as noted from the Research Brief prepared by the LegCo Secretariat on continuing education in Hong Kong, there were on average some 20 000 claims for CEF reimbursement each year in the past few years. Mr POON sought details about the Administration's estimation of beneficiaries. He was also concerned about whether the increase in the total funding provision would be able to support the CEF operation if there was a substantial increase in applications. For example, a considerable number of the elderly aged 65 to 70 opened new accounts and made claims for CEF reimbursement upon the relaxation of the upper age limit for CEF applicants from 65 to 70.

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32. SLW responded that subject to the approval of the Finance Committee ("FC"), the total funding provision for CEF would increase to \$16.2 billion, which would be used to meet the payment of subsidy and the costs for administering CEF. The actual cash flow and duration of CEF would depend on the pace at which eligible applicants sought reimbursement and the amount of subsidy sought in the light of the enhancement measures. The Administration estimated that upon the increase of the total funding provision to \$16.2 billion, CEF might continue to operate until mid-2026, and around 610 000 learners in total would be benefited. Should the number of eligible applicants aged 65 to 70 far exceed the estimated number, there was still sufficient time for the next-term Government commencing from 2022 to address the issue.

33. Noting that the Office of CEF would have to review and substantially revise the operational procedures and the computer systems under the enhancement measures to cope with the requirements for re-activation, conversion and verification of the data for some 680 000 closed accounts, as well as ongoing maintenance and systematic retrieval of information for over hundreds of thousands re-activated, currently valid and new accounts, Mr SHIU Ka-chun sought clarification as to whether the proposed injection of \$10 billion into CEF would partially be used for the upgrading of the computer systems.

34. Head, Working Family and Student Financial Assistance Agency confirmed that the funding required for the computer enhancement project for CEF operation had already been obtained from FC earlier as part of a project to develop an integrated student financial assistance system for the Student Finance Office several years ago.

Other concern

35. Mr POON Siu-ping held the view that the low participation rate in continuing education in Hong Kong was attributable to the long working hours situation in various trades and industries, such as the catering sector and elderly care service, which had made it difficult for working people to pursue further education and training. Mr POON called on the Administration to actively consider legislating for the provision of paid study leave so as to encourage employees to pursue further studies or skills upgrading. Mr SHIU Ka-chun shared a similar concern and view.

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Motions proposed by members

36. The Chairman said that two members had indicated their respective intention to move motions under the agenda item. He ruled that the two motions were directly related to the agenda item and the motions would be voted on in the order in which they were presented.

*Motion moved by Dr CHIANG Lai-wan*

37. Dr CHIANG Lai-wan moved the following motion:

"因應今年財政預算案將擴展持續進修基金課程的範疇至所有在資歷名冊下登記的課程，以鼓勵市民自我增值，惟申請年齡上限祇提高至 70 歲，令部分有志繼續進修的長者未能受惠。就此，本事務委員會促請政府研究撤銷申請年齡上限，積極推動市民終身學習，以個人知識及所長回饋社會，令人生更充實。"

(Translation)

"In this year's Budget, while the scope of the Continuing Education Fund ("CEF") will be expanded to include all courses in the Qualifications Register to encourage members of the public to pursue self-enhancement, the upper age limit for CEF applicants will only be extended to 70, and as a result some elderly who aspire to pursue further study could not benefit from it. As such, this Panel urges the Government to consider lifting the upper age limit on applicants and proactively promote life-long learning so that members of the public can make contribution to society with their knowledge as well as skills, and enrich their lives."

38. Members agreed that the motion should be proceeded with. The Chairman then put Dr CHIANG Lai-wan's motion to vote. All members present voted for the motion, and no member voted against it or abstained from voting. The Chairman declared that the motion was carried.

*Motion moved by Mr Jeremy TAM*

39. Mr Jeremy TAM moved the following motion:

"就有關擴大持續進修基金課程範疇，本事務委員會認為除參與指定語文基準試的考試可獲發還考試費之外，其他與職業技能

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有關的考試費用亦應被納入至持續進修基金之內，包括商用車輛駕駛牌照考試(運輸署提供)、電業工程人員註冊考試(機電工程署提供)、建造業工藝測試(建造業議會提供)、英國倫敦工商會考試(LCCI 考試局提供)等等。"

(Translation)

"Regarding the expansion of the scope of the Continuing Education Fund ("CEF"), this Panel is of the view that apart from the reimbursement of the test/examination fees for taking designated benchmark tests/examinations in respect of language courses, the fees for taking other tests/examinations related to vocational skills, including tests for commercial vehicle driving licences (provided by the Transport Department), examinations for registration as electrical workers (provided by the Electrical and Mechanical Services Department), trade tests for the construction industry (provided by the Construction Industry Council), the London Chamber of Commerce and Industry examinations (provided by the London Chamber of Commerce and Industry Examinations Board), etc. should also be reimbursable under CEF."

40. Members agreed that the motion should be proceeded with. All members present voted for the motion, and no member voted against it or abstained from voting. The Chairman declared that the motion was carried.

41. In concluding the discussion, the Chairman said that the Panel raised no objection in principle to the Administration's proposal to inject a total of \$10 billion into CEF and its submission to FC for consideration. The Chairman requested the Administration to take heed of members' concerns and views on the operation of CEF.

**IV. Major findings of the 2017 Annual Earnings and Hours Survey (2017 Report on Annual Earnings and Hours Survey and LC Paper Nos. CB(2)1036/17-18(05) to (07))**

42. With the aid of powerpoint presentation, Assistant Commissioner for Census and Statistics (Labour) ("AC/C&S") highlighted to members the major findings in the 2017 Report on Annual Earnings and Hours Survey ("AEHS").

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(*Post-meeting note:* The softcopy of the powerpoint presentation materials was issued to members vide LC Paper No. CB(2)1086/17-18(01) on 21 March 2018.)

43. Members noted an updated background brief entitled "Annual Earnings and Hours Survey" prepared by the LegCo Secretariat.

Level and distribution of employees' wages

44. Mr LUK Chung-hung was delighted to note that the median monthly wage of employees in Hong Kong (excluding government employees as well as student interns, work experience students and live-in domestic workers as exempted by the Minimum Wage Ordinance (Cap. 608) ("MWO") in May to June 2017 was \$16,800, which represented 4.1% higher than that of \$16,200 in May to June 2016 and was higher than the inflation rate and the economic growth in 2017. Mr LUK was, however, gravely concerned that the Statutory Minimum Wage ("SMW") rate was too low as there were only around 26 700 employees or 1% of the total number of employees whose hourly wage was \$34.5 (i.e. the revised SMW rate effective from 1 May 2017) during the reference period of May to June 2017. He pointed out that these workers needed to work for long hours to make ends meet. He called on the Administration to consider raising substantially the SMW rate.

45. Noting that there were around 90 400 employees whose hourly wage was below \$34.5 during the reference period of May to June 2016 and that the number of these employees during the corresponding period in 2017 had dropped to around 26 700, the Chairman expressed concern that the number of low-income employees covered under the revised SMW rate when it took effect in 2017 had been overestimated. This showed that there was serious problem of time gap between data collection for AEHS and implementation of the revised SMW rate under the biennial review of the SMW rate. Sharing a similar concern, Mr LUK Chung-hung called on the Administration to review the SMW rate on an annual basis so as to ensure that the wage level of low-income employees could catch up with the economic development.

46. Assistant Commissioner for Labour (Development) ("AC for L (D)") responded that the number of employees earning the SMW rate was affected by a number of factors, including the economic situation and labour market conditions. In recommending the SMW rate of \$34.5 per hour, the Minimum Wage Commission ("MWC") had made reference to

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relevant statistical data which were released and updated frequently. MWC crudely estimated that the number of employees involved with an hourly wage less than \$34.5 in the first half of 2017 before the implementation of the recommended SMW rate would be around 74 100, whereas according to the data from the 2017 AEHS, the number of employees earning the revised SMW rate of \$34.5 in May to June 2017 shortly after the implementation of the revised SMW rate was 26 700. It was thus not appropriate to make direct comparison of the two figures. As pointed out in the 2016 MWC Report, from the experience in the past few years, it was worth noting that the uprating of SMW benefited not only the employees involved, but also employees earning wages above the SMW rate as they were granted corresponding wage increases. Taking into account the impact of knock-on effect on pay hierarchies, the number of employees with a pay rise attributable to the uprating of SMW was generally larger than the number of employees earning just the SMW rate.

47. The Chairman, however, remained concerned about the small number of employees receiving hourly wage at the revised SMW rate when it was implemented in 2017, given that the pay rise in the labour market was generally higher than the revision to the SMW rate.

48. In response to Mr LUK Chung-hung's enquiry, AC/C&S said that the method for deriving hourly wage had taken into account the definitions of hours worked and wages payable under MWO. Payments related to rest days were not counted when deriving hourly wage rate.

49. Mr SHIU Ka-chun noted from Tables 10(a) and 19(a) of the 2017 AEHS Report that while the median monthly wages of 70 200 workers in the cleaning services industry was \$9,100, 8 000 of them received their hourly wage at the SMW rate. Mr SHIU was gravely concerned that according to the survey findings of a community concern group released in February 2018, 80% of workers engaged by contractors of government service contracts were cleaning workers receiving the SMW rate. The low wage level of the cleaning workers was attributable to the "lowest bid wins" tender evaluation mechanism in awarding government service contracts. To provide incentive to government service contractors to raise the wage level of their employees, Mr SHIU called on the Administration to award separate weighting for the wage element in tender assessment. He also urged the Administration to make reference to the recommendation of Oxfam Hong Kong to set a living wage at \$9,837.

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50. Noting that the overtime pay rate for some employees engaged in low-paid industries was pitched at the SMW rate, which was in effect lower than their hourly wage rate, the Chairman was concerned about the inadequate protection of these employees' rights and benefits under the Employment Ordinance (Cap. 57) ("EO"). He called on the Administration to consider plugging the loophole.

51. AC for L (D) responded that at present, the overtime pay rate was subject to the agreement between employers and employees. The Standard Working Hours Committee ("SWHC") had recommended to the last-term Government to adopt, among other things, a legislative approach to mandate that lower-income grassroots employees would be entitled to overtime compensation at a rate no less than the rate of the agreed wages (i.e. wages as defined under EO but excluding overtime pay) or the equivalent time-off in lieu. There were, however, divergent views in the community regarding the legislative proposals of SWHC. The Administration would continue to listen to the views of the community with a view to identifying feasible options of enhancing the working hours policy.

52. The Chairman also expressed concern about the protection of benefits and rights of employees not engaged under a continuous contract (i.e. an employee employed by the same employer for four weeks or more and worked for 18 hours or more each week, commonly referred to as the "4-18" requirement), as these employees were usually paid at the SMW rate. Given that casual workers were not entitled to certain employment benefits under EO, the Administration should consider setting a higher wage rate for these employees.

53. AC for L (D) said that the objective of setting up the SMW regime under MWO was to provide a wage floor with a view to forestalling excessively low wages of employees. The actual wage rate of individual employees would be subject to a number of factors, including the economic situation and labour market conditions.

Disparity of income between male and female employees

54. With reference to Tables 6 and 14 of the 2017 AEHS Report, Mr Jeremy TAM expressed concern about disparity of income between male and female employees, in particular in the age groups of 35-44, 45-54 and 55 and above. Mr TAM sought information on whether such

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phenomenon had aggravated as compared with the situation in the past few years and enquired whether the Administration would formulate specific policy to address the situation.

55. AC/C&S said that the disparity in the median monthly wage of full-time male and female employees was some 20%. Similar findings were also observed in previous reports on AEHS. The disparity could be attributable to a number of factors, including educational attainments, choice of occupations and industry sections, age as well as years of service in the serving business undertaking. Notably, a greater proportion of male employees, especially in the younger age groups, were engaged in the construction sector, in which the wage level and pay rise in the past few years were comparatively higher. On the other hand, more female employees in the mature age group were engaged in the lower-skilled trades, such as cleaning and security services, and were paid at the SMW rate.

56. AC for L(D) added that the Administration had launched various training programmes and measures to enhance the employability and competitiveness of female workers as well as support services, such as child care services, to facilitate female workers to enter or stay in the labour market.

57. To facilitate formulation of specific policy to address the phenomenon of disparity of income between male and female employees, Mr Jeremy TAM suggested that the AEHS Report should provide wage level of male and female employees by industry section.

Working hours issues

58. With reference to Tables 20(a) & 20(b) of the 2017 AEHS Report, Mr HO Kai-ming expressed grave concern that the median weekly working hours of all employees and full-time employees exceeded 44 hours. Expressing disappointment at the Administration's decision of not to pursue legislating for standard working hours ("SWH") but to adopt a legislative approach to mandate employers to enter into written employment contracts with the lower-income grassroots employees, Mr HO raised concern as to how SWHC was going to reduce the number of working hours of all employees to a reasonable level i.e. 44 hours as advocated by HKFTU.



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59. The Chairman shared a similar view and concern. He pointed out that the "contractual working hours" approach as put forth by SWHC was solely worked out by the business sector having regard to the fact that the employee representatives of SWHC had ceased from participating in SWHC's work since November 2015. The Chairman appealed to the Administration to reactivate discussion on legislating for SWH. Mr LUK Chung-hung said that the labour sector did not accept adoption of the "contractual working hours" approach as the working hours policy to address the long working hours situation.

60. AC for L (D) said that the Administration was mindful of the labour sector's concern over working hours. It was noted that there were divergent views in the community on the legislative proposals put forward by the last-term Government. The Administration would continue to listen to the views of both the labour and business sectors on the matter with a view to identifying feasible options of enhancing the working hours policy.

61. With respect to the Administration's proposal of setting the wage line of lower-income grassroots employees at monthly wages of \$11,000 under the "contractual working hours" approach, Mr HO Kai-ming sought information on the monthly wages and weekly working hours of employees, in particular statistics on employees with certain levels of monthly wages and weekly working hours such as \$11,000 and 45 hours respectively. To assess the effectiveness of the "contractual working hours" approach in safeguarding the employees' rights and benefits of low-income employees, Mr HO requested and AC/C&S agreed to provide relevant information after the meeting. The Chairman added that there was concern that employers might abuse the "contractual working hours" approach and formalize long working hours with employees.

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62. Noting that the Labour Department ("LD") had through its tripartite committees commenced discussion on the formulation of sector-specific working hours guidelines for certain trades and industries, Mr HO Ka-ming enquired whether the Administration would set clear indicators for assessing the effectiveness of the guidelines in reducing the number of working hours of employees, in particular grassroots workers with low education attainment. Sharing a similar concern, Mr LUK Chung-hung pointed out that according to a UBS Group survey conducted in 2016, Hong Kong almost topped all countries/places in terms of total working hours and the median weekly working hours was more than 50 hours. Mr LUK was concerned how the Administration would address the long working hours situation.

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63. AC for L (D) advised that the Administration had commenced the formulation of sector-specific working hours guidelines through the tripartite committees of LD to provide guidance on suggested working hours arrangements, overtime compensation methods and good working hours management practices, etc. for reference and adoption by employers and employees. LD would review the effectiveness of the guidelines after implementation.

*[The Chairman informed members that the meeting would be extended by 15 minutes.]*

Motions proposed by members

64. The Chairman said that three members had indicated their respective intention to move two motions under the agenda item. He ruled that the motions were directly related to the agenda item and the motions would be voted on in the order in which they were presented.

*Motion moved by Mr HO Kai-ming and Mr LUK Chung-hung*

65. Mr HO Kai-ming and Mr LUK Chung-hung moved the following motion:

"本事務委員會促請政府盡快立法制訂標準工時，有關法例的內容必須訂明標準工時為每周 44 小時及超時工作工資率。"

(Translation)

"This Panel urges the Government to expeditiously enact legislation on standard working hours, the contents of which must specify the number of standard working hours at 44 per week and the overtime pay rate."

66. Members agreed that the motion should be proceeded with. The Chairman then put the motion to vote. All members present voted for the motion, and no member voted against it or abstained from voting. The Chairman declared that the motion was carried.

Action

*Motion moved by Mr SHIU Ka-chun*

67. Mr SHIU Ka-chun moved the following motion:

"按《2017 年收入及工時按年統計調查的主要結果》顯示，清潔工人的工資中位數為 9,100 元，即在全港 70 200 名清潔工之中，8 000 人只可取得 34.5 元的最低工資。本委員會促請政府在修訂外判制評分中，將工資從「價格評分」的成本中抽出來獨立計算，並積極考慮訂立「生活工資」。

(Translation)

"According to the major findings of the 2017 Annual Earnings and Hours Survey, the median monthly wage of cleaning workers was \$9,100, which means that among the 70 200 cleaning workers in Hong Kong, 8 000 of them could only earn the minimum wage of \$34.5 per hour. This Panel urges the Government to separate the 'wage rate' from the price aspect in the calculation of the scores in revising the marking scheme of its outsourcing system, and to proactively consider setting a 'living wage'."

68. Members agreed that the motion should be proceeded with. The Chairman then put Mr SHIU Ka-chun's motion to vote. Three members present voted for the motion, and no member voted against it and two members abstained from voting. The Chairman declared that the motion was carried.

Attendance of the Administration

69. The Chairman, Mr HO Kai-ming, Mr SHIU Ka-chun and Mr LUK Chung-hung expressed dissatisfaction at the lack of representatives from LWB to respond to members' enquiries concerning the policy issues raised at the meeting. Members took the view that representative(s) from LWB should attend future meetings of the Panel when it was briefed on the AEHS findings.

70. There being no other business, the meeting ended at 6:39 pm.