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24 June 2019

Clerk to Panel on Manpower
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
Miss Betty MA

Dear Miss MA,

Thank you for your letter of 11 June to the Secretary for Labour and Welfare, relaying Dr Hon Fernando CHEUNG's questions regarding the manpower situation of the elderly care service sector. I am authorized to reply as follows.

Use of additional resources to increase remuneration

To enable subsidised welfare service units to recruit and retain staff more effectively, the Chief Executive's 2017 Policy Agenda stated that additional resources would be provided by the Social Welfare Department (SWD) for subsidised elderly, rehabilitation and family and child welfare service units to increase the salary provision for recognised posts of personal care workers (PCWs), home helpers (HHs) and ward attendants (WAs).

When SWD implemented the measure in 2018, it has made it clear to the representatives of the Hong Kong Council of Social Service and relevant non-governmental organisations (NGOs) that the additional personal emolument allocation provided by SWD should be used on improving the remuneration of the relevant frontline care staff. The NGO representatives expressed their understanding. In addition, in the letter issued by SWD to the NGOs concerned informing them of the arrangements for the allocation of the additional resources, the SWD's expectation on the NGOs to use the additional resources on increasing the remuneration of frontline care staff was clearly stipulated therein.

SWD has conducted a survey on the above-mentioned subsidised service units in the first half of this year to gauge the impact of their use of the additional resources to increase the remuneration of staff on the manpower situation of frontline care staff. Preliminary information has revealed that upon the utilisation of the additional resources provided by SWD by the subsidised service units to increase remuneration, the staff emoluments of the frontline care staff, including PCWs, HHs and WAs, have registered increases, while the vacancy rate of the relevant posts is still about 19%, which is higher than the vacancy rate as revealed in the 2017 survey. SWD will continue to analyse the questionnaires returned by the surveyed units.

Supplementary Labour Scheme

Same as local workers, imported workers (IWs) under the Supplementary Labour Scheme (SLS) are protected by the labour legislation of Hong Kong. The Labour Department (LD) has taken various measures to safeguard the employment rights and benefits of IWs, including those employed by residential care homes for the elderly (RCHEs).

Labour inspectors of the LD would carry out inspections of the workplaces and accommodation of IWs provided by employers, and conduct interviews with IWs individually to explain to them their rights and benefits under the Employment Ordinance (EO) and the Standard Employment Contract (SEC). During inspections, labour inspectors would also check the employers' compliance with relevant labour legislation and terms of SEC by examining IWs' attendance, wage, employment records as well as the employees' compensation insurance policies, etc. Labour inspectors would provide IWs with contact information of LD and relevant law enforcement departments to enable them to make enquiries or complaints with these departments whenever necessary.

LD would follow up on all the complaints received. If employers are suspected of breaching the relevant requirements, LD would conduct investigation, and institute prosecution against the offending employers if necessary. Regarding employers of RCHEs employing IWs under the SLS, LD took out prosecutions against suspected breaches of labour legislation in two cases between January 2014 and March 2019. The employer in one of the cases was convicted.

At present, private and self-financing RCHEs (including private RCHEs joining the Enhanced Bought Place Scheme) may apply for importation of carers under SLS. No subvented RCHEs have applied for importation of workers under SLS thus far.

The Navigation Scheme for Young Persons in Care Services

The Government has provided relevant information and improvement measures on the Navigation Scheme for Young Persons in Care Services (Navigation Scheme) in the paper submitted to the Manpower Panel. SWD does not keep information regarding the salary of the trainees upon completion of the Navigation Scheme.

Yours sincerely,



(Desmond Wu)
for Secretary for Labour and Welfare

c.c. Director of Social Welfare (Attn: Mr Alex WONG Kwok-chun)
Commissioner for Labour (Attn: Mr Raymond HO Kam-biu)