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Panel on Public Service

Meeting on 15 April 2019

**Updated background brief on
implementation of five-day week in the Government**

Purpose

This paper provides background information on the implementation of the five-day week ("FDW") initiative in the Government and summarizes the major concerns expressed by members at previous meetings of the Panel on Public Service ("the Panel").

Background

2. The Administration decided to implement the FDW initiative in the Government in three phases starting from 2006¹ to improve the quality of civil servants' family life. Bureaux and departments ("B/Ds") have to abide by the following four basic principles ("the four principles") in their implementation of the FDW initiative:

- (a) no additional staffing resources;
- (b) no reduction in the conditioned hours of service of individual staff;
- (c) no reduction in emergency services; and
- (d) continued provision of some essential counter services on Saturdays/Sundays.

¹ The FDW initiative was implemented in three phases, namely on 1 July 2006, 1 January 2007 and 1 July 2007.

3. FDW work pattern includes working on a "Monday-to-Friday basis", a "five-day-on, two-day-off roster in every seven days", or "fewer than five days/shifts in every seven days". Upon the implementation of the final phase in July 2007, a total of some 94 300 civil servants (around 65% of the then civil service strength) were working on a FDW work pattern, and all government units suitable for five-day operation at that time had migrated to a FDW work pattern.

4. The Civil Service Bureau ("CSB") conducted biennial surveys on the implementation of FDW in B/Ds. As revealed by the survey conducted in 2016, 115 500 civil servants² (around 73% of the then civil service strength) were working on a FDW work pattern, whilst 42 800 civil servants³ (around 27% of the then civil service strength) were unable to work on a FDW work pattern as at 30 September 2016 due to the need to maintain the overall level and efficiency of public services.⁴ Some departments not fully implementing FDW had arranged further trial schemes for their staff after the 2016 survey. Among them, about 430 staff from the Food and Environmental Hygiene Department ("FEHD"), 80 staff from the Immigration Department, 30 staff from the Civil Engineering and Development Department, 22 staff from the Leisure and Cultural Services Department ("LCSD") and four staff from the Department of Health ("DH") had migrated to FDW by April 2018. Besides, the Correctional Services Department ("CSD"), LCSD and FEHD were implementing/would implement trial schemes involving some 270 civil servants as at April 2018.

5. Separately, with the commencement of the Judiciary (Five-day Week) (Miscellaneous Amendments) Ordinance 2016 on 3 January 2017,⁵ some 70 civil servants in DH who were non-FDW staff and whose work was related to the Judiciary's FDW pattern had since migrated to FDW.

² Following the approach adopted in previous surveys, this figure excluded civil servants working in government schools, the Judiciary, the Independent Commission Against Corruption, the Hospital Authority, the Vocation Training Council and the Hong Kong Monetary Authority.

³ These civil servants came from 23 departments comprising 18 civilian departments and five disciplined services departments.

⁴ These services include services provided by the Hong Kong Police Force and other services that were provided on Saturdays/Sundays such as social welfare services, some immigration counter services, etc.

⁵ Following the commencement of the Ordinance and as at 31 March 2017, a total of some 1 600 civil servants working in the Judiciary, which is not part of the Government, have migrated to FDW.

Views expressed by the Panel at previous meetings

6. Members in general supported the FDW initiative and welcomed the progress on implementation of FDW in the Government. However, they expressed concern that some civil servants could not join the FDW arrangement and noted that the Government Amenity Management Supervisors General Union proposed the provision of additional staffing resources to enable the full implementation of FDW for LCSD. In this connection, members enquired about the Administration's plan to address these civil servants' aspiration for working on FDW and whether the Administration had made a realistic assessment on the feasibility of and set a timeline for implementing FDW for the entire civil service. Members were also concerned that differences in working hours among civil servants might give rise to complaints about different pay for the same job, and affect civil servants' morale and quality of government service.

7. The Administration clarified that FDW was not a condition of service, and the conditioned hours of work of civil servants would not be affected by the implementation of FDW in the Government. The Government had all along been encouraging B/Ds to explore possible ways to migrate more staff to FDW. Some B/Ds were actively exploring the feasibility of introducing trial schemes to migrate more staff to a FDW pattern and arranging their staff to fill the posts with a FDW work pattern by rotation. For example, LCSD had conducted trial schemes for staff of the Amenities Assistant grade in three leisure venues, and the Amenities Assistants deployed in tree teams and individual venues/facilities had successfully migrated to FDW. The Administration believed that with a year-on-year increase of about 3.7% increase (i.e. expanded by 6 700 posts) in civil service establishment for 2018-2019, it would be more easy for B/Ds to migrate more staff to FDW.

8. The Administration further advised that given the need to comply with the four principles, not all civil servants could enjoy FDW eventually, and it was impractical to set a timeline for all B/Ds to fully implement FDW. CSB would encourage B/Ds to arrange their staff to rotate between FDW posts where operational circumstances permitted. Also, some civil servants preferred a six-day week work pattern because they did not want to work longer hours on weekdays to make up for not working on Saturdays.

9. Expressing concern on the low implementation rate of FDW in some disciplined services departments, in particular CSD, members enquired whether the Administration could, based on the service nature, operation modes and resources of different discipline services departments, adopt a flexible timetable to migrate all discipline services staff to FDW.

10. The Administration explained that whether individual civil servants could work on a FDW pattern depended on the operational and service needs of their respective departments and positions. As many disciplined services departments were required to provide round-the-clock services, it would be difficult to migrate all of their staff to FDW. Notwithstanding this, the implementation rates of FDW in the Fire Services Department and the Government Flying Service were over 90% and 100% respectively. The Administration pointed out that substantial manpower resources would be required to maintain round-the-clock public services if FDW was fully implemented in all disciplined services departments. Since the provision of additional staffing resources for implementation of FDW would violate one of the four principles, the Administration considered it difficult to gain public support for spending additional resources on implementing FDW without improving the quality of public services.

11. Members urged the Administration to meet frontline staff directly on addressing practical difficulties in implementing FDW as they were more knowledgeable of the daily operation of B/Ds and the underlying difficulties for implementing the FDW initiative. The Administration stressed that individual B/Ds' implementation of FDW was subject to whether they could comply with the four principles. CSB had been communicating with B/Ds which had not yet fully implemented FDW and gauging views from both the departmental management and the staff with a view to exploring feasible measures to migrate more civil servants to FDW.

12. On the suggestion that the Administration should review the four principles in order not to hinder the implementation of FDW initiative, the Administration advised that FDW was one of the family-friendly policies adopted by the Administration with a view to improving the quality of civil servants' family life. Any modification to the four principles would have an impact on conditions of service for individual staff and incur additional resources.

13. A member suggested that the Administration should consider adjusting the remuneration packages of those civil servants who worked on a non-FDW pattern as compensation because they had an extra work day every week. The Administration disagreed with the member's view and clarified that the remuneration packages of civil servants were not determined based on their work pattern and reiterated that FDW was a family-friendly policy adopted by the Administration instead of a condition of service.

14. In response to a member's doubt on the necessity to abide by the principle of "continued provision of essential counter services on Saturdays/Sundays", in view that some counter services could be replaced by electronic means, the Administration advised that some B/Ds had ceased some of their counter services on Saturdays where appropriate. For instance, the Quality Migrants and Mainland Residents Section at the Immigration Department Headquarters had extended its working hours on weekdays and ceased its counter service on Saturdays. Applications could also be submitted to the Section by post or through the departmental drop-in boxes. However, some essential counter services had still to be maintained on Saturdays or Sundays.

15. Members expressed concern about the unfair treatment in the calculation of the leave entitlements of non-FDW work pattern staff, such as some disciplined services departments and DH, where, for example, six days' leave would be deducted from the balance when taking one-calendar-week's leave as compared with a deduction of five days for their FDW work pattern counterparts in the Government. Members hence requested the Administration to review the leave deduction arrangement by making reference to the successful experience of the Hospital Authority ("HA") in aligning the leave deduction policy between FDW and non-FDW work pattern staff through administrative measures.

16. The Administration advised that the Hong Kong Police Force had, since December 2015, implemented a pilot scheme in phases to revise on a trial basis the leave deduction arrangement for non-FDW officers under which 10 days of leave would be deducted for vacation leave of two calendar weeks, subject to some conditions being met. Separately, DH was also studying the feasibility of revising its leave deduction arrangement for non-FDW civil servants working in HA.

Relevant questions raised at Council meetings

17. Council questions on the implementation of five-day week in the Government were raised on 28 June and 6 December 2017 and 7 November 2018. Hyperlinks to these questions and the Administration's responses are in **Appendix**.

Recent development

18. The Administration has conducted the latest survey which captured the position of the implementation of FDW in the Government as at 30 September 2018 and will update the Panel at the Panel meeting on 15 April 2019.

Relevant papers

19. A list of relevant papers is in **Appendix**.

Council Business Division 4
Legislative Council Secretariat
11 April 2019

Appendix

Implementation of five-day week in the Government

List of relevant papers

Meeting	Date of meeting	Paper
Panel on Public Service	16.5.2016	Administration's paper Updated background brief prepared by the Legislative Council Secretariat Minutes
	21.4.2017	Administration's paper Updated background brief prepared by the Legislative Council Secretariat Minutes Administration's response to the submission dated 3 April 2017 from Government Amenity Management Supervisors General Union regarding the implementation of five-day week in the Government
	13.4.2018	Administration's paper Updated background brief prepared by the Legislative Council Secretariat Minutes
Council Meeting	28.6.2017	Question raised by Hon Kwok Wai-keung on "Implementation of five-day week"

Meeting	Date of meeting	Paper
	6.12.2017	<u>Question raised by Dr Hon Elizabeth QUAT on "Welfare for staff members of the disciplined services"</u>
	7.11.2018	<u>Question raised by Dr Hon Elizabeth QUAT on "Leave deduction arrangements for civil servants working under the six-day work week mode"</u>