

立法會
Legislative Council

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by the Administration)

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Subcommittee on Employees Retraining Ordinance
(Amendment of Schedule 4) Notice 2020

Minutes of the second meeting
held on Monday, 25 May 2020, at 8:30 am
in Conference Room 3 of the Legislative Council Complex

Members present : Hon LUK Chung-hung, JP (Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon YIU Si-wing, BBS
Hon POON Siu-ping, BBS, MH
Hon SHIU Ka-fai, JP
Hon Vincent CHENG Wing-shun, MH, JP

Public Officers attending : Item I

The Administration

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

The Employees Retraining Board

Mr Byron NG Kwok-keung, BBS
Executive Director

Ms Alice CHEUNG Yuen-yee
Deputy Executive Director (Corporate Services)

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

Staff in attendance : Miss Rachel DAI
Assistant Legal Adviser 2

Ms Priscilla LAU
Council Secretary (2) 1

Miss Lulu YEUNG
Clerical Assistant (2) 1

I. Meeting with the Administration

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. Members noted that pursuant to the decision made at the meeting on 15 May 2020, written submissions from the public on the Employee Retraining Ordinance (Amendment of Schedule 4) Notice 2020 ("the Notice") were invited. Three written submissions were received.

3. The Chairman concluded that the Subcommittee had completed scrutiny of the Notice. Members noted that the Chairman had moved a motion at the Council meeting of 20 May 2020 to extend the scrutiny period of the Notice to the Council meeting of 10 June 2020. The deadline for giving notice of motion to amend the Notice, if any, was 3 June 2020. Members also noted that the Subcommittee Chairman would make a verbal report on the Subcommittee's deliberations on the Notice to the House Committee on 29 May 2020, followed by a written report.

II. Any other business

4. There being no other business, the meeting ended at 9:21 am.

**Proceedings of the second meeting of the
Subcommittee on Employees Retraining Ordinance
(Amendment of Schedule 4) Notice 2020
held on Monday, 25 May 2020, at 8:30 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s) / Discussion	Action Required
000633 - 000830	Chairman	<p>Opening remarks</p> <p>Extension of the scrutiny period of the Employee Retraining Ordinance (Amendment of Schedule 4) Notice 2020 ("the Notice").</p> <p>Written submissions received from the public on the Notice.</p>	
000831 - 001159	Chairman Admin Executive Director of the Employees Retraining Board ("ED of ERB")	Briefing by the Administration and ED of ERB on the Notice.	
001200 - 002014	Chairman Mr YIU Si-wing Admin ED of ERB	<p>Mr YIU Si-wing considered that the increase in the maximum amount of monthly retraining allowance provided by the Employee Retraining Board ("ERB") was too small. He enquired about:</p> <p>(a) the Administration's timetable for the review on further increasing the maximum amount of monthly retraining allowance per eligible trainee;</p> <p>(b) whether online training courses were provided under the "Love Upgrading Special Scheme" ("the Special Scheme") to allow flexibility during the Coronavirus disease 2019 epidemic; and</p> <p>(c) whether specific training courses would be provided based on the needs and requirements of the travel industry and employers.</p> <p>The Administration and ED of ERB advised that:</p> <p>(a) online learning arrangement for training courses were provided on a pilot basis from early April 2020. There had been 35 training bodies providing and planning to provide over 170 training courses with online teaching mode so far. ERB would enhance and extend the Special Scheme in July 2020. Consideration</p>	

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		<p>would be given to organizing specific or tailor-made training courses that best fitted the needs of employees in collaboration with the industries and organizations;</p> <p>(b) ERB had not reviewed the amount of retraining allowance for more than 20 years. With reference to the cumulative inflation in the past two decades, the maximum amount of monthly retraining allowance would be increased from \$4,000 to \$5,800 by 45%; and</p> <p>(c) ERB would examine the amount of the retraining allowance for different course categories under the new maximum amount of retraining allowance, as covered in ERB's Three-year Strategic Plan.</p>	
002015 - 002531	Chairman Mr POON Siu-ping Admin ED of ERB	<p>Mr POON Siu-ping declared that he was a member of the Federation of Hong Kong and Kowloon Labour Unions, of which its member unions were training bodies under the Special Scheme.</p> <p>Mr POON considered that with reference to the median monthly wage, the cap on the monthly special allowance under the Special Scheme should be further increased. In view of the current economic downturn, there was an imminent need to review the maximum amount of retraining allowance per month per trainee. A mechanism should be introduced to carry out regular review on the maximum amount of retraining allowance.</p> <p>The Administration advised that ERB had the role to provide market-driven and employment-oriented training courses and services to improve the competitiveness of the local labour force for sustainable employment. Retraining allowance provided additional incentive for employees to undergo retraining by helping the trainees meet the expenses on travelling and meals arising from attending the retraining courses.</p> <p>ED of ERB advised that apart from the Three-year Strategic Plan, ERB would keep in view the implementation of new statutory cap, and make timely recommendation on enhancing and extending the Special Scheme.</p>	

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002532 - 003249	Chairman Admin ED of ERB	<p>The Chairman declared that he was a member of the Hong Kong Federation of Trade Unions, of which its member unions were training bodies under the Special Scheme.</p> <p>The Chairman considered that the upward adjustment of the maximum amount of special allowance under the Special Scheme to \$5,800 was far from adequate. He suggested that (a) the Administration should top up the amount to \$9,000 through the Anti-epidemic Fund; (b) a mechanism should be set up to empower ERB to review and adjust the retraining allowance annually; (c) the computation for the daily allowance under the Special Scheme should be based on, say, 20 days, instead of 26 days, in a month; and (d) training courses with longer training period should be offered for trainees.</p> <p>The Administration took note of the Chairman's views. ED of ERB responded that ERB was planning to provide courses with longer training period to expand the choices of courses to meet the various needs of employees, especially the young people. In examining the computation for the daily allowance, ERB would take into account different factors, including the number of days of training attended by a trainee.</p>	
003250 - 004103	Chairman Mr SHIU Ka-fai Admin	<p>Mr SHIU Ka-fai considered that the daily allowance of \$223 for full-time courses under the Special Scheme following the implementation of new stationary cap was still low. Apart from the launch of the Employment Support Scheme, the amount of special allowance should be further increased so as to assist those unemployed or under-employed to tide over financial difficulties.</p> <p>The Administration advised that employees affected by the recent economic downturn might enroll in the training courses under the Special Scheme to upgrade their skills. The special allowance was provided as additional incentive for participation. In determining the amount of allowance, ERB had taken into account how to make the best use of its resources in providing training courses and services.</p>	

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004104 - 004548	Chairman Mr POON Siu-ping Admin ED of ERB	<p>Mr POON Siu-ping enquired about the enrollment for the Special Scheme, and whether the increased monthly allowance would apply to trainees who had completed the training courses before the commencement of the Notice.</p> <p>ED of ERB advised that each person might enroll up to four training courses under the Special Scheme. As at 15 May 2020, there were over 21 000 applications for enrollment in various training courses. The number of trainees enrolled in commenced training courses was about 3 700. The increased maximum amount of monthly allowance per eligible trainee (i.e. \$5,800) was applicable to the training courses that commenced on or after 25 May 2020 when the Notice came into operation.</p>	
004549 - 005354	Chairman Mr SHIU Ka-fai Admin ED of ERB	<p>Mr SHIU Ka-fai sought ERB's view on the proposal to increase the maximum amount of special allowance to \$9,000 in order to provide more assistance to those recently unemployed or be required to take no pay leave.</p> <p>ED of ERB responded that ERB would examine comprehensively the retraining allowance under its Three-year Strategic Plan. In the meantime, ERB would launch the second phase of the Special Scheme in July 2020, and liaise with trade associations and corporations to organize enterprise-based training courses that met the specific needs of their industries and employees.</p> <p>Mr SHIU and the Chairman urged the Administration and ERB to expedite the review of the retraining allowance.</p>	
005355 - 005542	Chairman	Completion of the scrutiny work on the Notice and the legislative timetable.	