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Panel on Public Service

Meeting on 20 April 2020

**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. From the findings of the latest round of survey, as at 30 September 2018, 123 500 civil servants² (around 75% of the then civil service strength) were working on a FDW work pattern, whilst 41 300 civil servants³ (around 25% of the then civil service strength) were unable to work on a FDW work pattern due to the need to maintain the overall level and efficiency of public services.⁴ The number of civil servants who were working on a FDW pattern includes about 700 civil servants who were at the time under FDW trial schemes in four departments, namely the Correctional Services Department ("CSD"), the Food and Environmental Hygiene Department ("FEHD"), the Hong Kong Police Force ("HKPF") and the Leisure and Cultural Services Department ("LCSD"). About 120 staff from CSD, 100 staff from FEHD, 450 police officers from HKPF and 25 staff from LCSD were involved in the trial schemes. Among them, 20 civil servants from LCSD had formally migrated to FDW since February 2019 and April 2019. Besides, between October 2018 and February 2019, more than 180 members of the Postal Officer and the Postman grades of Hongkong Post and about 10 staff of the Clerical Officer and the Cultural Services Assistant grades working in public libraries of LCSD were migrated to FDW.

² Following the approach adopted in previous surveys, this figure included staff who were on FDW trial schemes, but excluded civil servants working in government schools, the Judiciary, the Independent Commission Against Corruption, the Hospital Authority, the Vocation Training Council, the Hong Kong Monetary Authority and the Legal Aid Services Council.

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, immigration counter services, cultural and leisure services, postal services, environmental hygiene services or civil servants engaged in law enforcement, passenger/cargo clearance, management of penal institutions, etc.

5. Apart from the trial schemes mentioned in paragraph 4, HKPF has started a one-year trial scheme for about 900 police officers in the Emergency Units of Hong Kong Island, New Territories South and Kowloon East Regions since January 2019.

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 still not join the FDW arrangement some 14 years after the first implementation of FDW. 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. Members also conveyed dissatisfaction of a staff union of LCSD that although the staff side had demanded working on a FDW pattern, the management of the relevant B/Ds had rejected all proposals sent to them without even conducting a trial scheme. The Administration was asked to follow up with the B/Ds concerned for trying out the FDW proposals made by the staff side to test their feasibility before rejecting the proposals.

8. 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. Since the management was most familiar with the operations of their respective departments, they were in the best position to consider further migrating their staff to FDW having regard to their operational requirements. As for the case of the LCSD, the Administration had all along been keeping close liaison with the management and encouraging them to engage the staff side with a view to identifying feasible proposals to extend the FDW arrangement.

In recent years, some Amenities Assistants in LCSD had been migrated to FDW.

9. The Administration added that a case referred by CSB to the LCSD management who had looked into the feasibility of implementing FDW in a sports centre in response to staff's request. After taking into account the need to maintain the level of public services and the actual operational difficulties, FDW could not be implemented in the venue concerned.

10. 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.

11. Expressing concern on the low implementation rate of FDW in some disciplined services departments, 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 disciplined services staff to FDW.

12. 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 Fire Services Department and the Government Flying Service had respectively migrated 97% and 100% of their staff to FDW, while the Immigration Department, HKPF, the Customs and Excise Department, and CSD had lower implementation rates of FDW at about 64%, 54%, 43% and 22% 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.

Upon completion of trial schemes in some disciplined services departments mentioned in paragraph 4, it was believed that more staff would be migrated to FDW.

13. 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 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.

14. 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 instead of a condition of service. Any modification to the four principles would have an impact on conditions of service for individual staff and incur additional resources.

15. 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.

16. 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.

17. 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 Department of Health, 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 in aligning the leave deduction policy between FDW and non-FDW work pattern staff through administrative measures.

18. The Administration advised that as at 31 March 2019, HKPF, the Customs & Excise Department and CSD were conducting their respective pilot schemes on revised leave deduction arrangements, covering a total of more than 13 000 non-FDW civil servants, so that they could enjoy the same leave deduction arrangements as their counterparts who worked under the FDW pattern. CSB had shared the information about the revised leave deduction arrangements pilot schemes of the aforementioned departments with other departments with non-FDW civil servants to facilitate their consideration of similar proposals.

Relevant questions raised at Council meetings

19. 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 and 8 May 2019. Hyperlinks to these questions and the Administration's responses are in **Appendix I**.

20. A motion was passed by the Council at the meeting on 5 June 2019 urging the Administration to, among other things, comprehensively implement five-day week to enable the remaining 20% of civil servants who have yet to work on a five-day week pattern to expeditiously benefit from the measure. The wording of the motion is in **Appendix II**. Relevant hyperlinks to the motion and the Administration's responses are in **Appendix I**.

Recent development

21. The Administration will update the Panel on the latest position of the implementation of FDW in the Government at the Panel meeting on 20 April 2020.

Relevant papers

22. A list of relevant papers is in **Appendix I**.

Council Business Division 4
Legislative Council Secretariat
9 April 2020

Appendix I

Implementation of five-day week in the Government

List of relevant papers

Meeting	Date of meeting	Paper
Panel on Public Service	21 April 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 April 2018	Administration's paper Updated background brief prepared by the Legislative Council Secretariat Minutes
	15 April 2019	Administration's paper Updated background brief prepared by the Legislative Council Secretariat Minutes

Meeting	Date of meeting	Paper
Council Meeting	28 June 2017	<u>Question raised by Hon Kwok Wai-keung on "Implementation of five-day week"</u>
	6 December 2017	<u>Question raised by Dr Hon Elizabeth QUAT on "Welfare for staff members of the disciplined services"</u>
	7 November 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>
	8 May 2019	<u>Question raised by Hon HO Kai-ming on "Implementation of five-day work week by the Leisure and Cultural Services Department"</u>
	5 June 2019	<u>Official Record of Proceedings Pages 223 - 346 (motion raised by Hon Tony TSE and the amendments to the motion moved by Hon HO Kai-ming, Hon Charles Peter MOK, Hon Jeremy TAM and Hon Holden CHOW)</u>

(Translation)

**Motion on
“Improving the employment terms of civil servants,
enhancing the efficiency of policy implementation and
promoting creativity and innovation”
moved by Hon Tony TSE
at the Council meeting of 5 June 2019**

Motion as amended by Hon HO Kai-ming and Hon Charles Peter MOK

That as the civil service will face the peak period of civil servants' retirement, the problem of manpower shortage in the civil service will gradually surface; in this connection, this Council urges the Government to adopt effective measures to improve the employment terms, manpower, working environment and continuing education and training of civil servants, so as to attract and retain talents; raise the Government's efficiency of decision-making, decision execution and vetting and approval process, and strengthen inter-bureau and inter-departmental cooperation and coordination; and enhance middle and senior civil servants' creative mindset and capacity to manage changes, and promote the application and research and development of innovative technology in various government departments; specific measures to improve the employment terms and manpower problem of civil servants are as follows:

- (1) increasing the number of permanent posts to attract more people to join the civil service;
- (2) reviewing the deduction of payroll cost of increments arrangement under the pay adjustment mechanism of the civil service;
- (3) extending the option to extend service to civil servants under the old scheme, so that they can choose to retire at the age of 65 (for civilian grades) or 60 (for disciplined services grades);

- (4) comprehensively implementing five-day week to enable the remaining 20% of civil servants who have yet to work on a five-day week pattern to expeditiously benefit from the measure;
- (5) increasing the number of annual leave days of civil servants under the new scheme;
- (6) expeditiously providing Chinese medicine services for all civil servants; and
- (7) providing post-retirement medical and dental benefits for civil servants under the new scheme and their eligible dependants;

Other specific measures include:

- (8) training civil servants to effectively use new technology to address the changes in the demand for and expectations of government services in the community, so as to deliver better public services to the people in a more efficient and innovative way;
- (9) improving the establishment of civil servants, including exploring the inclusion of the information technology ('IT') profession in the list of civil service professional grades and reviewing afresh the arrangement of employing IT staff through the 'body-shopping' contract (i.e. 'T-contract'), so as to raise the professional status of IT staff; and
- (10) drawing reference from overseas places such as the United Kingdom and Singapore to provide courses for frontline civil servants on data analytics and science, artificial intelligence, user-oriented design, agile delivery, etc., so as to systematically train civil servants' capacity to use innovative technology.