

Bills Committee on Employment (Amendment) Bill 2021**The Government's consolidated response to issues raised in the written submissions received by the Bills Committee**

This paper sets out the Government's consolidated response to the issues raised in the written submissions received by the Bills Committee on the Employment (Amendment) Bill 2021 (the Bill).

Item	Summary of views of submissions	The Government's response
1.	<p><u>To align the number of statutory holidays (SHs) with general holidays (GHs)</u></p> <p>Support the alignment of the number of SHs with GHs.</p>	<p><u>Item 1</u></p> <p>The views are noted.</p>
2.	<p><u>To advance the pace of alignment</u></p> <p>Request the alignment of the number of SHs with GHs to be achieved within a shorter time.</p>	<p><u>Items 2 and 3</u></p> <p>The Government has struck a balance between the interests of employers and employees, and taken full account of the economic situation, as reflected in the Bill.</p>
3.	<p><u>To defer the implementation date of increasing the number of SHs</u></p> <p>Request not to introduce the Bill at the current stage in light of the poor economic situation.</p>	<p>Following from the above, the Government considers it reasonable to allow a sufficient timespan for employers to increase SHs in a gradual and orderly manner. Hence the legislative proposal of adding one SH every two years until the number of SHs equals the number of GHs.</p>

Item	Summary of views of submissions	The Government's response
4.	<p><u>To revert to the Labour Advisory Board (LAB) for further discussion</u></p> <p>Suggest reverting to LAB again for further discussion with a view to reaching a consensus on the pace of achieving the alignment of SHs with GHs.</p>	<p><u>Item 4</u></p> <p>Indeed, LAB had discussed proposals to increase SHs on different occasions but to little avail. On the current legislative proposal, the Labour Department consulted LAB in October and November 2020 respectively but no consensus could be reached.</p> <p>Amid the impasse, the Government decided to introduce the Bill in the current legislative term rather than to withhold the legislative proposal indefinitely.</p>
5.	<p><u>Others</u></p> <p>Suggest excluding foreign domestic helpers (FDHs) from the entitlement of five additional SHs.</p>	<p><u>Item 5</u></p> <p>In general, the employment legislation and benefits therein apply equally to local and foreign employees (including FDHs). The parity arrangement also aligns with general requirements under the Migration for Employment Convention (Revised), 1949 (International Labour Convention No. 97).</p>