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Panel on Manpower

Updated background brief prepared by the Legislative Council Secretariat for the meeting on 19 October 2021

Unleashing female labour force

Purpose

This paper gives a brief account of past discussions of the Legislative Council ("LegCo") and its committees regarding unleashing female labour force.

Background

2. According to the statistics published by the Census and Statistics Department ("C&SD") in July 2021, Hong Kong had a labour force (excluding foreign domestic helpers) of 3 848 400 and 1 944 900 of them were females. The labour force participation rate for women was 54.5%, which was lower than the labour force participation rate of 65.7% for men. At the same time, there were 77 796 unemployed females aged 15 and above and the unemployment rate of females was 4%, which was slightly lower than the overall unemployment rate of 5.2%.

3. On 24 October 2013, the Steering Committee on Population Policy ("SCPP") released a consultation paper on population policy and launched a four-month public engagement exercise which ran until 23 February 2014. SCPP identified five policy strategies, which included, among others, unleashing the potential of local labour force with the focus on promoting women employment. The Administration formulated, according to the five strategic directions, a series of policy measures to encourage more women to join the workforce, including enhancing support for child care services and creating family-friendly environment that enabled women to work. Such measures were included in the population policy action agenda which was announced by the Chief Executive in the 2015 Policy Address.

4. The Administration commissioned the Consultancy Study on the Long-term Development of Child Care Services ("the Study") in December 2016 and it was completed in 2018 with 11 recommendations. The Administration accepted in principle the recommendations put forward by the Study and formulated a series of policy initiatives to improve the quality of child care services, including formulating a planning ratio for the provision of child care centre ("CCC") places, increasing the level of subsidies for CCC service so as to alleviate parents' financial burden in paying service fees, enhancing the service quality of the Neighbourhood Support Child Care Project ("NSCCP"), re-engineering in phases the existing Mutual Help Child Care Centres to provide after-school care service for pre-primary children aged three to six, etc.

Members' deliberations

Employment services for female job seekers

5. Members had all along been concerned about the employment support for different job seekers, including female employees. According to the Administration, it was committed to providing comprehensive employment services to assist job seekers, including females, to find suitable employment. Through a network of 13 Job Centres, three industry-based recruitment centres, the Job Vacancy Processing Centre and the Telephone Employment Service Centre, the Labour Department ("LD") provided a comprehensive range of employment assistance and counselling services for job-seekers. Job-seekers, including women who needed to take care of their families, might also make use of the Interactive Employment Service website to register for employment services and browse up-to-date information on employment and vacancies.

Measures to facilitate women to join the workforce

Provision of child care services

6. Members were strongly of the view that provision of comprehensive child care support services and adequate trained child carers was crucial to releasing female home-makers to join the labour market. The Administration should give due consideration to strengthening the child care and after-school care services so that grass-roots women who had young children could be unleashed from household matters to join the workforce. Some members expressed grave concern about the mismatch problem of the provision of child care services and the service needs in some districts where the utilization rate of child care services had reached 100%. Some members suggested that the Administration should enhance the subvented child care services in remote areas by extending the

service hours so as to enable and support residents in these districts to take up employment in other districts. There were also suggestions that the Administration should consider setting up CCCs on vacant school premises and near major Mass Transit Railway stations, reserving lower floors of new public rental housing ("PRH") estates, using idle spaces in existing PRH estates to provide child care services, and imposing conditions on land sale site projects to require developers to include the provision of child care facilities in commercial development projects.

7. The Administration advised that to support parents who were unable to take care of their children temporarily because of work or other reasons, the Social Welfare Department ("SWD") had all along been providing subvention to non-governmental organizations to run a variety of child care services and after-school care services. As of December 2020, the numbers of child care places provided in CCCs, NSCCP and After School Care Programme were 35 508, 954 and 6 288 respectively. With a view to increasing their flexibility to cater for the special needs of families, the child care services were provided in a flexible manner, including extended service hours during weekday nights, weekends and public holidays. To ensure that low-income families could afford the services, SWD had been providing needy families with different forms of fee waiving subsidies. The Administration would continue to monitor the operation of various service schemes in order to meet the needs of the community.

8. The Administration further advised that the population-based planning ratio for subsidized CCC places, i.e. 100 aided CCC places per 25 000 general population, was included in the Hong Kong Planning Standards and Guidelines in March 2020. Relevant bureaux or departments were expected to reserve suitable premises for operating CCCs according to the planning ratio in the course of planning. Given that it might require 10 years or more to meet the proposed planning ratio and noting the actual service needs varied at district level, the Administration would consider adjusting resource allocation and increasing the provision of service places and relevant subsidies when the needs arose. In addition, as approved by the Finance Committee on 30 June 2020, it planned to purchase a total of 28 suitable premises for aided standalone CCCs in about three years under the programme of "Purchase of Premises for the Provision of Social Welfare Facilities", with around 100 places to be provided for each centre. It was expected that at least one additional centre would be set up in each district, and districts with a larger population of young families would have more such centres.

9. In the context of considering the manpower situation of residential care homes for the elderly, some members expressed the view that more child care services should be provided in the vicinity of these homes so as to encourage and facilitate more newly arrived women to take up full-time or part-time jobs in these

homes. To this end, members urged the Administration to set up an interdepartmental task force to study the subject matter and conduct comprehensive planning for the provision of and support services for child care services.

Adoption of family-friendly employment practices

10. Some members considered that there should be specific measures to foster a family-friendly culture in employment so as to encourage women to join the workforce. There was a view that the Administration should develop more home-based job opportunities to facilitate women to work at home while undertaking household duties.

11. The Administration advised that it had all along encouraged employers to adopt family-friendly employment practices ("FFEP") and to allow flexible work arrangements. In the past few years, various Government bureaux/departments and the Family Council had strived to encourage employers to adopt employee-oriented management measures and implement FFEP. It was evident that there was an increasing number of employers granting their employees benefits that exceeded the statutory requirements under the Employment Ordinance (Cap. 57) ("EO") and provided them with flexible and varied work arrangements and support, such as granting compassionate leave and special casual leave, and implementing flexitime. Moreover, an increasing number of employers participating in the "Family-Friendly Employers Award Scheme" organized by the Family Council and the "Caring Company Scheme" organized by the Hong Kong Council of Social Service also showed the increasing recognition of FFEP by employers. Through LD's promotional efforts to showcase exemplary examples in implementing FFEP by enterprises of different sizes, employers were enlightened on the business cases of adopting such measures which would be beneficial to business development and staff recruitment and retention. The nine industry-based tripartite committees and the 18 Human Resources Managers Clubs also reflected that more employers were willing to implement FFEP with increasing resources allocation for the purpose of staff retention.

Proposed measures to further promote women employment

12. Some members suggested that the Administration should promote the development of labour intensive industries, such as environmental protection and waste recycling industries, which would create ample job opportunities for low-skilled and low-educated employees so as to address the problem of taking up fragmented jobs and casual work by female employees.

13. The Administration advised that the Labour and Welfare Bureau and the Women's Commission conducted a time-use survey in 2014 in collaboration with

C&SD to examine why Hong Kong women withdrew from the labour market as well as the factors that would attract them to join or re-join the workforce. The findings would help the Administration to consider measures that further promote women employment.

Protection of female employees' rights and benefits

14. Some members noted with concern that women outnumbered men in entering employment contracts with short duration or working hours. Members were of the view that the continuous contract requirement under EO, under which an employee had to be employed for four weeks or more and worked for 18 hours or more in each week (the so-called "4-18 requirement"), should be abolished to safeguard the rights and benefits of part-time employees. By doing so, it would facilitate women engaged in household duties to take up casual work. At its meetings on 31 July 2013 and 21 September 2021, the Panel on Manpower passed two motions respectively urging the Administration to abolish the "4-18 requirement", and proposing that employees who had worked for 18 hours a week should be entitled to full protection of rights and benefits under EO, whereas those who had worked for less than 18 hours a week should be entitled to the labour protection on a pro-rata basis, and review the requirement of continuous contract with a view to enhancing the protection for labour rights and benefits.

15. According to the Administration, removing or lowering the "4-18 requirement" for continuous contract under EO would have cost implications for employers, as they would also have to offer the full range of employment benefits to those employees who worked for shorter hours. Removing the requirement would also adversely affect the employment opportunities of those who preferred to work shorter hours. Furthermore, it might reduce the flexibility of certain industries which would normally adjust their part-time workforce when there were fluctuations in the demand for their goods and services. Given the wide implications on employers and employees, any proposal to remove or reduce the "4-18 requirement" for continuous employment should be considered carefully in this light. The Administration would convey members' views to the Labour Advisory Board for consideration.

Relevant papers

16. A list of relevant papers on the LegCo website is in the **Appendix**.

Appendix

Relevant papers on unleashing female labour force

Committee	Date of meeting	Paper
Panel on Welfare Services	10 January 2011 (Item V)	<u>Agenda</u> <u>Minutes</u>
Panel on Welfare Services	21 January 2013 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Manpower and Panel on Welfare Services	19 February 2013 (Item II)	<u>Minutes</u>
Panel on Welfare Services	19 February 2013 (Item V)	<u>Agenda</u> <u>Minutes</u> <u>Administration's response to issues raised by deputations</u>
Finance Committee	11 April 2013	<u>Agenda</u> <u>Minutes</u>
Panel on Manpower	28 May 2013 (Item IV)	<u>Agenda</u> <u>Minutes</u>
Panel on Manpower	31 July 2013 (Item III)	<u>Agenda</u> <u>Minutes</u>
House Committee	8 November 2013	<u>Agenda</u> <u>Information Note</u>
Legislative Council	13 November 2013	<u>Official Record of Proceedings</u> <u>Pages 13-26</u>

Committee	Date of meeting	Paper
Panel on Manpower and Panel on Welfare Services	9 December 2013 (Item II)	<u>Agenda</u> <u>Minutes</u>
House Committee	24 April 2015 (Special meeting)	<u>Agenda</u>
House Committee	4 December 2015 (Special meeting)	<u>Agenda</u>
Panel on Manpower	16 February 2016 (Item III)	<u>Agenda</u> <u>Minutes</u>
Panel on Welfare Services	9 July 2018 (Item V)	<u>Agenda</u> <u>Minutes</u>
Panel on Welfare Services	10 December 2018 (Item III)	<u>Agenda</u> <u>Minutes</u>
Panel on Welfare Services	19 January 2019 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Welfare Services	1 November 2019 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Welfare Services	8 March 2021 (Item III)	<u>Agenda</u> <u>Minutes</u>
Finance Committee	16 April 2021	<u>Agenda</u> <u>Minutes</u>
Panel on Manpower	21 September 2021 (Item VI)	<u>Agenda</u> <u>Minutes</u>