Controlling officer: the Permanent Secretary for Economic Development and Labour (Labour)/Commissioner for Labour will account for expenditure under this Head.

Estimate 2005–06	\$1,061.1m
<b>Establishment ceiling 2005–06</b> (notional annual mid-point salary value) representing an estimated 1 719 non-directorate posts as at 31 March 2005 reducing by two posts to 1 717 posts as at 31 March 2006.	\$587.4m
In addition, there will be an estimated 14 directorate posts as at 31 March 2005 and as at 31 March 2006.	
Commitment balance	\$4,011.3m

### **Controlling Officer's Report**

## **Programmes**

Programme (1) Labour Relations Programme (2) Employment Services Programme (3) Safety and Health at Work Programme (4) Employee Rights and Benefits These programmes contribute to Policy Area 8: Employment and Labour (Secretary for Economic Development and Labour).

#### Detail

#### **Programme (1): Labour Relations**

	2003–04 (Actual)	2004–05 (Original)	2004–05 (Revised)	2005–06 (Estimate)
Financial provision (\$m)	112.1#	106.0	108.1 (+2.0%)	<b>106.2</b> (-1.8%)

(or +0.2% on 2004–05 Original)

#### Aim

2 The aim is to foster and maintain harmonious employer and employee relations in the non-government sector.

## **Brief Description**

- **3** The Department provides voluntary conciliation service to assist employers and employees to settle their disputes and claims. It promotes understanding of labour laws and encourages good labour management practices.
- 4 The Department is also responsible for the adjudication of minor employment claims and the administration of trade unions.
  - 5 The key performance measures in respect of labour relations are:

## **Targets**

		2003	2004	2005
	Target	(Actual)	(Actual)	(Plan)
waiting time for conciliation meetings for				
claims	within	within	within	within
	5 weeks	5 weeks	5 weeks	5 weeks
waiting time for consultation				
meetings	within	within	within	within
	30 mins.	30 mins.	30 mins.	30 mins.
process registration of new trade unions	within	within	within	within
	4 weeks	4 weeks	4 weeks	4 weeks

<sup>#</sup> For comparison purpose, the figure includes relevant provision attributable to former Head 157—Government Secretariat: Economic Development and Labour Bureau (Labour Branch) during April to June 2003, prior to the transfer of the relevant programme to Head 90 with effect from 1 July 2003.

	Target	2003 (Actual)	2004 (Actual)	2005 (Plan)
process registration of change of union names/rules	within 10 days	within 10 days	within 10 days	within 10 days
after filing with the Minor Employment Claims Adjudication Board (MECAB) inspections to trade unions	within 5 weeks 360	within 4 to 5 weeks 364	within 5 weeks 366	within 5 weeks 360
Indicators				
		2003 (Actual)	2004 (Actual)	2005 (Estimate)
labour disputes and claims handled		34 116	28 666	28 700
labour disputes and claims with conciliation serv rendered#labour disputes and claims resolved through con- labour disputes and claims resolved through		31 509 20 497	26 732 17 998	26 750 18 000
conciliation (%)		65.1 150 138 608 2 763	67.3 351 112 997 2 594	67.3 N.A. 113 000 2 600
cases on registration of new trade unions and cha	anges of	174	125^	N.A.

<sup>#</sup> This figure excludes those labour disputes and claims where conciliation service has not been rendered because the employers concerned are insolvent or cannot be reached for conciliation.

#### Matters Requiring Special Attention in 2005-06

- 6 Major new plans for 2005–06 include:
- enhancing public understanding of the Employment Ordinance through producing a user-friendly question-and-answer booklet;
- organising a large-scale seminar to promote good people management practices among employers; and
- promoting industry-specific good people management practices in collaboration with industry-based Tripartite Committees.

## **Programme (2): Employment Services**

	2003–04 (Actual)	2004–05 (Original)	2004–05 (Revised)	2005–06 (Estimate)
Financial provision (\$m)	489.7#	551.6	476.0 (-13.7%)	<b>457.7</b> (-3.8%)
				(or -17.0% on 2004-05 Original)

<sup>#</sup> For comparison purpose, the figure includes relevant provision attributable to former Head 157—Government Secretariat: Economic Development and Labour Bureau (Labour Branch) during April to June 2003, prior to the transfer of the relevant programme to Head 90 with effect from 1 July 2003.

#### Aim

7 The aim is to provide a comprehensive range of free employment assistance and counselling services to help job-seekers find suitable jobs and employers fill their vacancies.

## **Brief Description**

**8** The Department provides free employment service to all job-seekers. It provides active assistance and counselling services to the unemployed and the disabled, careers guidance, pre-employment and on-the-job training to young people as well as labour market information to all job-seekers, including new arrivals.

The number of new trade unions registered in 2004 remained at the same level of 2003. The decrease was due to a smaller number of applications received for registered changes of union names/rules.

- **9** The Department is also responsible for processing applications under the importation of labour schemes and will ensure priority of employment for local workers.
- 10 To address the mismatch in supply and demand of local domestic helpers (LDHs) arising from geographic locations and working hours and to promote the service of LDHs, the Department, in collaboration with the Employees Retraining Board, has launched a scheme to provide incentive allowance to qualified LDHs who are willing to work across districts or during unpopular hours. The scheme, with an allocation of \$60 million, is expected to benefit 8 000 LDHs. As at the end of 2004, 3 700 applications were approved.
- 11 The Youth Pre-employment Training Programme, which provides a wide range of employment-related training to young school-leavers, entered its sixth year. In the past five years, over 57 000 young people have been trained under the Programme. For 2004–05, 12 000 training places were provided.
- 12 In July 2002, the Department launched the Youth Work Experience and Training Scheme to provide on-the-job training of six to 12 months for young people aged 15 to 24 with educational attainment below degree level. As at the end of 2004, 18 283 trainees secured employment under the Scheme whilst another 10 925 trainees found jobs in the open labour market through the assistance of their case managers.
- 13 The Department launched in May 2003 the Re-employment Training Programme for the Middle-aged to enhance the employment service to the long-term unemployed aged over 40. As at the end of 2004, 8 606 placements were secured.
- 14 In May 2004, the Department launched the Youth Self-employment Support Scheme, on a pilot basis, to train and assist about 1 500 young people aged 18 to 24 with educational attainment below degree level to become self-employed.
- 15 To meet operational needs of government departments concerned and to assist those with less education, lower skills and limited work experience, the Department co-ordinated the exercise on extension of temporary jobs in the public sector.
- 16 In face of persistently high unemployment, the Department vigorously stepped up its employment services for job-seekers. As a result, a record high figure of 86 257 placements was achieved for 2004.
  - 17 The key performance measures in respect of employment services are:

### **Targets**

o .		2003	2004	2005
	Target	(Actual)	(Actual)	(Plan)
diamatan and in Commenting and in the control of	8	(======)	(======)	()
display vacancy information upon receipt of request from employers	within	within	within	within
or request from employers	24 hours	24 hours	24 hours	24 hours
arrange job referral upon request for	2.110415	2. 1104115	2.110413	
placement assistance from job-seekers	within	within	within	within
	30 mins. of	30 mins. of	30 mins. of	30 mins. of
	appointment	appointment	appointment	appointment
amon as in death and a sure to a sure alline	time	time	time	time
arrange in-depth employment counselling				
session for job-seekers registering for the Job Matching Programme	within	within	within	within
the 300 Watching I Togramme	1 week	1 week	1 week	1 week
issue employment agency	1	1	1•	1 // 0011
licences	within	within	within	within
	2 weeks	2 weeks	2 weeks	2 weeks
inspections to employment agencies	1 300	1 364	1 376	1 380
Indicators				
		2003	2004	2005
		(Actual)	(Actual)	(Estimate)
able-bodied job-seekers				
persons registered		233 070	223 229	223 000
placements		66 100	86 257	87 000
disabled job-seekers				
persons registered		4 309	4 002	4 000
placements		2 442	2 391	2 400
young people participating in careers guidance		972 475	970 637	971 000
employment agency licences issuedapplications under labour importation schemes		1 393 577	1 501 466	1 500 470
applications under labour importation schemes	s processeu	311	400	4/0

#### Matters Requiring Special Attention in 2005-06

- 18 Major new plans for 2005–06 include:
- continuing the promotion of the market for LDHs through the LDH Incentive Allowance Scheme;
- launching a work trial scheme for 2 000 unemployed persons having special difficulty in finding jobs; and
- implementing a work orientation and placement scheme to help place 1 000 people with disabilities into employment.

### Programme (3): Safety and Health at Work

	2003–04 (Actual)	2004–05 (Original)	2004–05 (Revised)	2005–06 (Estimate)
Financial provision (\$m)	329.2#	319.2	312.1 (-2.2%)	<b>307.1</b> (-1.6%)
				(or -3.8% on 2004–05 Original)

<sup>#</sup> For comparison purpose, the figure includes relevant provision attributable to former Head 157—Government Secretariat: Economic Development and Labour Bureau (Labour Branch) during April to June 2003, prior to the transfer of the relevant programme to Head 90 with effect from 1 July 2003.

#### Aim

19 The aim is to ensure that risks to people's safety and health at work are minimised by legislation, education and promotion.

#### **Brief Description**

- 20 This programme includes the enforcement of the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO) and the Boilers and Pressure Vessels Ordinance (BPVO). A key element in enforcement is the provision of advice on prevention of accidents. Apart from providing training courses, seminars, guide books and other publicity materials to disseminate such information, special promotional visits are conducted to encourage employers to adopt a self-regulatory approach in managing risk at the workplace. Suspension notices will be issued to remove imminent risk to life and limb. Improvement notices will be issued to secure a speedy rectification of irregularities to prevent accidents.
- 21 In enforcing the OSHO, the FIUO and the BPVO, the established policy is to target at industries or establishments with poor performance records. Apart from conducting routine inspections, enforcement campaigns targeted at specific risks or accident-prone work situations were organised to arouse the safety awareness of both management and employees. In 2004, enforcement campaigns were conducted in the areas of arc/gas welding and flame cutting, construction, building repair and maintenance, container handling and storage and working-at-height.
- 22 In 2004, the Department made 6 228 promotional visits to the workplaces and organised 2 610 promotional activities to help duty-holders understand their statutory obligations. Two large-scale promotional programmes were launched in the catering and construction industries to promote safety awareness.
  - 23 The key performance measures in respect of occupational safety and health at work are:

#### **Targets**

	Target	2003 (Actual)	2004 (Actual)	2005 (Plan)
inspections under the FIUO and the	Turget	(Fietaur)	(Fietaar)	(1)
OSHO	111 600^	124 833	118 861	111 600
inspections per field inspector under the FIUO and the OSHO	450	476	468	450
investigation of occupational diseases	within 24	within 24	within 24	within 24
	hours upon notification	hours upon notification	hours upon notification	hours upon notification
promotional visits to workplaces under the	notification	notification	notification	notification
FIUO and the OSHO	4 740^	5 635	6 228	4 740
inspections under the BPVO	4 630§	6 494	5 744	4 630
inspections per field inspector under the BPVO	1 030	1 082	1 044	1 030
process pressure equipment registration	within	within	within	within
process pressure equipment registration	3 weeks	3 weeks	3 weeks	3 weeks
talks, lectures, seminars organised	2 500	2 972	2 610	2 500

- ^ The targets for inspections and promotional visits to workplaces under the FIUO and the OSHO will be revised downwards slightly (from 115 400 and 4 900 respectively) to reflect reprioritisation of the Department's work programme and deployment of staff to focus on major hazards, including those in construction, building repair and maintenance, working-at-height, and container handling and storage.
- § The target number of inspections under the BPVO will be revised downwards (from 5 680) to reflect the further focusing of resources on targeted operations/equipment.

#### **Indicators**

	2003 (Actual)	2004 (Actual)	2005 (Estimate)
fatal accidents in industrial undertakings	28	24@	N.A.
non-fatal accidents in industrial undertakings	17 221	15 968@	N.A.
accident rate per 1 000 industrial employees	31.3	28.7@	N.A.
fatal accidents in non-industrial undertakings#	143	152(a)	N.A.
non-fatal accidents in non-industrial undertakings	24 630	24 024 <u>@</u>	N.A.
accident rate per 1 000 employees in non-industrial		9	
undertakings	13.5	13.0@	N.A.
investigation of accidents at workplaces	11 866	12 342	N.A.
warnings issued by occupational safety officers	36 394	34 053	N.A.
prosecutions taken	1 800	1 963	N.A.
suspension/improvement notices issued	1 440	1 555	N.A.
investigations/surveys/examinations/assessments/clinical			
consultations on occupational health conducted	18 722	19 196	19 000
pressure equipment registered	1 537	1 402	1 460
examinations conducted and exemptions granted for the			
issue or endorsement of certificates of competence	425	368	360
warnings issued under the BPVO	4 120	3 816	N.A.

- @ The accident statistics for 2004 are provisional as some of the accidents occurred towards the end of the year have yet to be reported to the Labour Department.
- # This includes cases which may subsequently be determined to be unrelated to work based on medical and other evidence.

## Matters Requiring Special Attention in 2005-06

- 24 Major new plans for 2005–06 include:
- launching enforcement and publicity campaigns targeting at working-at-height and scaffolding work in construction sites and building repair and maintenance works to ensure that duty-holders comply with safety requirements;
- heightening the occupational safety awareness of employers and employees in the container handling and storage sector and catering industry through a series of promotional and enforcing activities;
- stepping up inspections of warehouses to ensure adequate protection of warehouse workers from inhalation of air impurities;
- strengthening publicity efforts to promote the prevention of musculoskeletal disorders in office workers; and
- issuing Guidance Notes on the safe use of fork-lift trucks, flammable liquids and monitoring of air impurities in the workplace.

## Programme (4): Employee Rights and Benefits

	2003–04	2004–05	2004–05	2005–06
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	210.3#	199.5	199.7 (+0.1%)	<b>190.1</b> (-4.8%)

(or -4.7% on 2004–05 Original)

<sup>#</sup> For comparison purpose, the figure includes relevant provision attributable to former Head 157—Government Secretariat: Economic Development and Labour Bureau (Labour Branch) during April to June 2003, prior to the transfer of the relevant programme to Head 90 with effect from 1 July 2003.

#### Aim

25 The aim is to safeguard the rights and benefits of employees under labour laws.

## **Brief Description**

- 26 The Department safeguards the rights and benefits of all employees and combats illegal employment through inspection of workplaces and other premises, processing employees' compensation claims, administering the Protection of Wages on Insolvency Fund (PWIF), and investigation into complaints relating to the employment of imported workers.
- 27 In 2004, the Department stepped up the enforcement against wage offences through speedy investigation of reported offences, conducting trade-targeted campaigns to detect offences, and taking out vigorous prosecution against offenders. The Department also strengthened the collection and analysis of intelligence to mount more joint operations with the Police in combating illegal employment and protecting the job opportunities of local workers.
- 28 In November 2004, the Department extended the pilot Voluntary Rehabilitation Programme for Injured Employees in the Construction Industry to the catering, transport and manufacturing industries so that more injured workers could be benefited. The Programme has shown positive results in providing timely rehabilitation services to injured workers for better and speedier recovery, and facilitating their safe and early return to work.
- 29 The Labour Advisory Board was consulted and agreed to the proposal to add Severe Acute Respiratory Syndrome and avian influenza A to the list of specified occupational diseases under the Employees' Compensation Ordinance. The proposal aims at expediting the compensation process for the affected employees.
- 30 The Department continued to steer and monitor the implementation of recommendations arising from a review of policies on foreign domestic helpers (FDHs). To promote the rights and obligations of FDHs and their employers, the Department produced two publicity videos to put across the message.
- 31 To promote equal employment opportunities, the Department has kept up its publicity efforts in arousing public awareness of the importance of removing age discrimination in employment.
  - 32 The key performance measures in respect of employee rights and benefits are:

#### **Targets**

	Target	2003 (Actual)	2004 (Actual)	2005 (Plan)
inspections to workplacesinspections per field labour inspector	130 000 850	156 919 1 019	131 727@ 850@	
start investigation of complaints by labour inspectors^	within 1 week upon receipt	_	_	within 1 week upon receipt
waiting time for sick leave clearance with the Occupational Medicine Unit for injured employees	within 30 mins. of appointment time	within 30 mins. of appointment time	within 30 mins. of appointment time	within 30 mins. of appointment time
issue certificates of compensation assessment	within 3 weeks	within 3 weeks	within 3 weeks	within 3 weeks
effect payment in respect of applications to the PWIF	within 10 weeks	within 10 weeks	within 10 weeks	within 10 weeks

- With the launching of more targeted operations to detect wage offences and more intelligence-based joint operations with the Police to combat illegal employment, more effort was needed for intelligence collection and analysis as well as planning and investigation under the new enforcement mode in 2004. The number of inspections to workplaces and inspections per field inspector dropped as a result. This enforcement mode will continue in 2005.
- ^ This is a new target for 2005 onwards.

## Indicators

	2003	2004	2005
	(Actual)	(Actual)	(Estimate)
warnings issued	551	308§	N.A.
	3 512	3 783	N.A.
	1 187 809	538 548^	N.A.
sick leave clearance interviews for injured employees conducted	50 798	52 645	52 000

	2003 (Actual)	2004 (Actual)	2005 (Estimate)
employee compensation claims processed	53 770	56 652	56 600
applications for payment under the PWIF processed	22 042	22 071	14 500@
cases related to imported workers investigated	53	25#	N.A.

- § The decrease in the number of warnings issued in 2004 was largely due to the drop in the offences relating to the display of insurance notice at workplaces. The drop indicated the increasing awareness and compliance of employers of the statutory requirement as a result of vigorous enforcement through routine inspections and targeted campaigns.
- ^ The figure referred to the number of telephone enquiries handled by the Labour Department from January to June 2004. The Department's telephone enquiry service was transferred to the Integrated Call Centre of the Efficiency Unit in July 2004.
- @ It is expected that the number of applications processed will decrease as a result of the economic recovery.
- # The decrease in the number of cases investigated was due to the reduction in the number of workers imported under the Supplementary Labour Scheme.

## Matters Requiring Special Attention in 2005-06

- 33 Major new plans for 2005–06 include:
- continuing the promotion of good practices in maintaining medical records and issuance of certificates by registered Chinese medicine practitioners to pave the way for recognising them under labour legislation; and
- sustaining intelligence-based enforcement efforts and strengthening educational efforts to combat illegal employment.

#### ANALYSIS OF FINANCIAL PROVISION

Programme	2003–04	2004–05	2004–05	2005–06
	(Actual)	(Original)	(Revised)	(Estimate)
	(\$m)	(\$m)	(\$m)	(\$m)
<ol> <li>Labour Relations</li></ol>	112.1	106.0	108.1	106.2
	489.7	551.6	476.0	457.7
	329.2	319.2	312.1	307.1
	210.3	199.5	199.7	190.1
	1,141.3	1,176.3	1,095.9 (-6.8%)	1,061.1 (-3.2%)

(or -9.8% on 2004-05 Original)

## **Analysis of Financial and Staffing Provision**

## Programme (1)

Provision for 2005–06 is \$1.9 million (1.8%) lower than the revised estimate for 2004–05. This is mainly due to the full-year effect of the 2005 civil service pay cut.

## Programme (2)

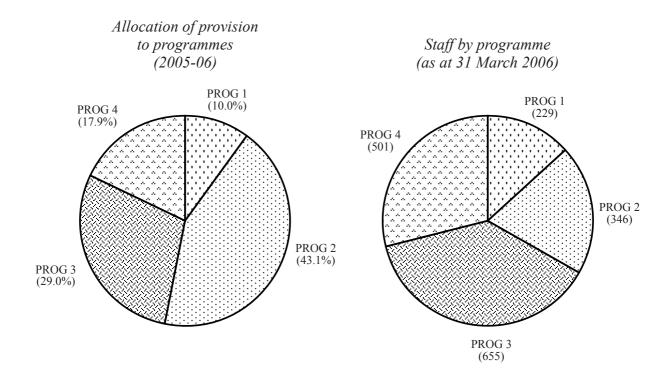
Provision for 2005–06 is \$18.3 million (3.8%) lower than the revised estimate for 2004–05. This is mainly due to the full-year effect of the 2005 civil service pay cut and decreased cash flow requirement for non-recurrent items.

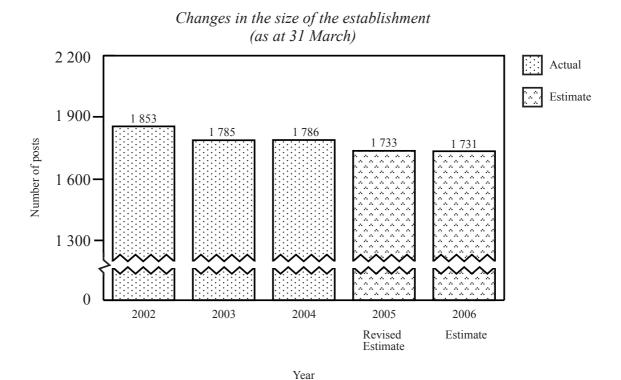
## Programme (3)

Provision for 2005–06 is \$5.0 million (1.6%) lower than the revised estimate for 2004–05. This is mainly due to the full-year effect of the 2005 civil service pay cut.

#### Programme (4)

Provision for 2005–06 is \$9.6 million (4.8%) lower than the revised estimate for 2004–05. This is mainly due to the full-year effect of the 2005 civil service pay cut, deletion of two posts and full-year effect of the Department's transfer of telephone enquiry service and related resources to the Efficiency Unit.





Sub- head (Code)		Actual expenditure 2003–04	Approved estimate 2004–05	Revised estimate 2004–05	Estimate 2005–06
		\$'000	\$'000	\$'000	\$'000
	Operating Account				
	Recurrent				
000	Operational expenses	862,927	900,806	850,642	831,344
280	Contribution to the Occupational Safety and Health Council	5,450	5,450	4,850	4,850*
295	Contribution to the Occupational Deafness Compensation Board	3,270	3,270	2,910	2,910*
	Total, Recurrent	871,647	909,526	858,402	839,104
	Non-Recurrent				
700	General non-recurrent	267,632	266,728	237,452	222,031
	Total, Non-Recurrent	267,632	266,728	237,452	222,031
	Total, Operating Account	1,139,279	1,176,254	1,095,854	1,061,135
	Total Evpanditura	1 120 270	1 176 254	1 005 854	1 061 125
	Total Expenditure	1,139,279	1,176,254	1,095,854	1,061,13

#### **Details of Expenditure by Subhead**

The estimate of the amount required in 2005–06 for the salaries and expenses of the Labour Department is \$1,061,135,000. This represents a decrease of \$34,719,000 against the revised estimate for 2004–05 and of \$78,144,000 against actual expenditure in 2003–04.

#### Operating Account

#### Recurrent

- **2** Provision of \$831,344,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Labour Department.
- **3** The establishment as at 31 March 2005 will be 1 733 permanent posts. It is expected that there will be a net deletion of two permanent posts in 2005–06. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2005–06, but the notional annual mid-point salary value of all such posts must not exceed \$587,443,000.
  - 4 An analysis of the financial provision under Subhead 000 Operational expenses is as follows:

	2003–04 (Actual) (\$'000)	2004–05 (Original) (\$'000)	2004–05 (Revised) (\$'000)	2005–06 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	698,707	690,426	672,720	664,669
- Allowances	8,356	9,562	11,953	6,501
- Job-related allowances	_	3	3	3
Personnel Related Expenses				
- Mandatory Provident Fund				
contribution	332	348	348	303
Departmental Expenses				
- General departmental expenses	139,227	190,461	157,573	151,905
Other Charges				
- Expenses for employment and labour-				
related initiatives#	2,829	<del></del>	<del></del>	<del></del> -
- Campaigns, exhibitions and publicity	10,134	10,006	8,045	7,963
<ul> <li>Expenses for improved occupational</li> </ul>				
safety and health standards	3,342	_	_	_
	862,927	900,806	850,642	831,344
	-			·

<sup>#</sup> This expenditure item on employment and labour-related initiatives was attributable to the former Labour Branch. With the merging of the Labour Branch and the Labour Department, the relevant expenses have been charged, with effect from 2004–05, to the items on *General departmental expenses* and *Campaigns, exhibitions and publicity* as appropriate.

- 5 Provision of \$4,850,000 under Subhead 280 Contribution to the Occupational Safety and Health Council is to meet the annual contribution to the Occupational Safety and Health Council. The amount of contribution is currently based on a proportion of the amount of levy received by the Council, with the proportion equivalent to the ratio of the size of the civil service to the working population in Hong Kong.
- **6** Provision of \$2,910,000 under *Subhead 295 Contribution to the Occupational Deafness Compensation Board* is to meet the annual contribution to the Occupational Deafness Compensation Board under a similar arrangement as for the Occupational Safety and Health Council.

## Commitments

Sub- head Item (Code) (Code)	Ambit	Approved commitment  \$'000	Accumulated expenditure to 31.3.2004 \$'000	Revised estimated expenditure for 2004–05	Balance \$'000
Operating Account					
700	General non-recurrent				
050	Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries	3,500,000	946	41,760	3,457,294
531	Trial placement scheme for people with a disability	1,400	800	470	130
532	Youth work experience and training scheme	700,000	111,285	139,500	449,215
534	Re-employment training programme for the middle-aged	60,000	2,212	10,000	47,788
536	Incentive allowance for local domestic helpers	60,000	2,677	16,500	40,823
539	Youth self-employment support scheme	30,000	_	14,000	16,000
	Total	4,351,400	117,920	222,230	4,011,250