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

Estimate 2007–08	\$972.4m
Establishment ceiling 2007–08 (notional annual mid-point salary value) representing an estimated 1 731 non-directorate posts as at 31 March 2007 rising by 43 posts to 1 774 posts as at 31 March 2008	\$607.9m
In addition, there will be an estimated 14 directorate posts as at 31 March 2007 and as at 31 March 2008.	
Commitment balance	\$3,852.5m

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

	2005–06	2006–07	2006–07	2007–08
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	103.5	107.6	103.4 (-3.9%)	108.2 (+4.6%)

(or +0.6% on 2006–07 Original)

Aim

2 The aim is to foster and maintain harmonious employer-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 administration of trade unions.
 - **5** The key performance measures in respect of labour relations are:

Targets

	Target	2005 (Actual)	2006 (Actual)	2007 (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
č	30 mins.	30 mins.	30 mins.	30 mins.
processing registration of new trade				
unions	within	within	within	within
	4 weeks	4 weeks	4 weeks	4 weeks
processing registration of change of union				
names/rules	within	within	within	within
	10 days	10 days	10 days	10 days

	Target	2005 (Actual)	2006 (Actual)	2007 (Plan)
waiting time for claims to be				
adjudicated after filing with the Minor Employment Claims				
Adjudication Board (MECAB)	within	within	within	within
Adjudication Board (MECAB)	5 weeks	5 weeks	5 weeks	5 weeks
inspections to trade unions	360	366	366	360
Indicators				
		2005	2006	2007
		(Actual)	(Actual)	(Estimate)
labour disputes and claims handled		26 189	25 157	25 000
labour disputes and claims with conciliation ser				
rendered#		24 827	23 953	23 800
labour disputes and claims resolved through cor	iciliation	17 336	16 934	16 830
labour disputes and claims resolved through				
conciliation (%)		69.8	70.7	70.7
working days lost from labour disputes known		100	54	N.A.
consultation meetings held		109 959	101 516	101 000
claims adjudicated by the MECAB		2 539	2 483	2 450
cases on registration of new trade unions and ch				
union names/rules		141	142	N.A.

[#] Excluding 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 2007-08

- 6 Major new plans for 2007–08 include:
- launching the Wage Protection Movement for cleansing workers and security guards through a multi-pronged strategy of promotion, public education, contractual regulation, conciliation and enforcement;
- organising a large-scale seminar to encourage employers to adopt family-friendly employment practices; and
- launching roving exhibitions to enhance public understanding of the Employment Ordinance.

Programme (2): Employment Services

	2005–06 (Actual)	2006–07 (Original)	2006–07 (Revised)	2007–08 (Estimate)
Financial provision (\$m)	342.7	368.8	322.0 (-12.7%)	355.2 (+10.3%)
				(or -3.7% on 2006-07 Original)

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.
- **9** The Department is also responsible for processing applications under the Supplementary Labour Scheme (SLS) and ensures 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 unsocial hours. As at the end of 2006, 9 195 applications were approved.
- 11 The Youth Pre-employment Training Programme (YPTP), which provides a wide range of employment-related training to young school-leavers, entered its eighth year. In the past seven years, over 73 000 young people have been trained under the Programme.

- 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 2006, 31 465 trainees secured employment under the Scheme whilst another 16 041 trainees found jobs in the open labour market through the assistance of their case managers.
- 13 In May 2003, the Department launched the Re-employment Training Programme for the Middle-aged to enhance the employment service for the long-term unemployed aged 40 or above. As at the end of 2006, 27 774 placements were secured.
- 14 In April 2005, the Department launched the Work Orientation and Placement Scheme to provide disabled job-seekers with pre-employment training and encourage employers to take on people with disabilities. As at the end of 2006, 565 disabled job-seekers secured employment under the Scheme.
- 15 In June 2005, the Department launched the Work Trial Scheme to help unemployed persons with special difficulty find jobs. As at the end of 2006, 1 127 job-seekers were placed into work trial.
- 16 Two new job centres in Yuen Long and North District came into operation in September 2006 to strengthen employment service in these areas.
 - 17 The key performance measures in respect of employment services are:

Targets

	Target	2005 (Actual)	2006 (Actual)	2007 (Plan)
	raiget	(Hetual)	(Hettail)	(Tan)
displaying vacancy information upon receipt of request from employers	within 24 hours	within 24 hours	within 24 hours	within 24 hours
arranging job referral upon request for				
placement assistance from job-seekers	within 30 mins. of			
	appointment time	appointment time	appointment time	appointment time
arranging in-depth employment counselling session for job-seekers registering for the Job Matching				
Programme	within 1 week	within 1 week	within 1 week	within 1 week
issuing employment agency licences	within 2 weeks	within 2 weeks	within 2 weeks	within 2 weeks
inspections to employment agencies	1 300	1 381	1 321	1 320
Indicators				
		2005	2006	2007
		(Actual)	(Actual)	(Estimate)
able-bodied job-seekers				
persons registered		208 578 113 090	205 648 118 937	205 000 118 000
placementsdisabled job-seekers	••••••	113 090	110 937	110 000
persons registered		3 920	3 695	3 700
placements		2 459	2 493	2 450
young people participating in careers guidance	e activities	848 321	945 727φ	940 000
employment agency licences issued		1 650 513	1 702 568	1 700 530
applications under the SLS processed		313	508	330

φ The increase in 2006 was due to the launching of online careers quiz in February 2006 and promotional activities to publicise internet service, thereby attracting more internet visitors.

Matters Requiring Special Attention in 2007-08

- 18 Major new plans for 2007–08 include:
- setting up two Youth Employment Resource Centres to provide one-stop advisory and support services on employment and self-employment for young people aged between 15 and 29; and
- extending the Special Incentive Allowance Scheme for LDHs by one year to further promote the LDH market.

Programme (3): Safety and Health at Work

	2005–06	2006–07	2006–07	2007-08
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	300.8	307.2	308.9 (+0.6%)	314.1 (+1.7%)

(or +2.2% on 2006–07 Original)

Aim

19 The aim is to ensure that risks to the safety and health of people at work are properly managed by legislation, education and publicity efforts.

Brief Description

- 20 This programme covers 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). It includes the provision of advice to stakeholders on the prevention of accidents, 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 risks at the workplace. Suspension notices will be issued to remove imminent risks 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. In addition to routine inspections, enforcement campaigns targeted at specific risks or accident-prone work situations are organised to arouse the safety awareness of both management and employees. In 2006, enforcement campaigns were conducted in the areas of drainage works, tower cranes and mobile plants, construction, building repair and maintenance, container handling and storage, and working-at-height.
- 22 In 2006, the Department made 5 430 promotional visits to workplaces and organised 2 485 promotional activities to help duty-holders understand their statutory obligations. Publicity was enhanced, including issuing a health guide, to promote the prevention of musculoskeletal disorders for workers in the catering industry, and inspections to catering workplaces were stepped up to ensure adequate protection of workers from related health hazards. Publicity on the prevention of musculoskeletal disorders for office workers was also strengthened. Two large-scale promotional programmes were launched to promote safety awareness in the catering and construction industries. Publicity campaigns were also organised to promote scaffolding safety, particularly safety in the erection, use and dismantling of truss-out scaffolds. A new occupational health clinic was set up in the North District to enhance clinical occupational health services in the New Territories.
 - 23 The key performance measures in respect of safety and health at work are:

Targets

	Target	2005 (Actual)	2006 (Actual)	2007 (Plan)
inspections under the FIUO and the OSHOinspections per field inspector under the	105 300^	118 907	116 500	105 300
FIUO and the OSHO	450	486	498	450
investigation of occupational diseases	within	within	within	within
	24 hours upon	24 hours upon	24 hours upon	24 hours upon
	notification	notification	notification	notification
promotional visits to workplaces under the				
FIUO and the OSHO	4 480^	5 779	5 430	4 480
inspections under the BPVO	4 630	4 807	5 064	4 630
inspections per field inspector under the				
BPVO	1 030	1 068	1 066	1 030
processing registration of pressure				
equipment	within	within	within	within
1 1	3 weeks	3 weeks	3 weeks	3 weeks
organising talks, lectures and seminars	2 100	2 559	2 485	2 100

[^] The targets for inspection and promotional visits to workplaces under the FIUO and the OSHO will be revised downwards slightly (from 107 100 and 4 550 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.

Indicators

	2005 (Actual)	2006 (Actual)	2007 (Estimate)
fatal accidents in industrial undertakings	29	26@	N.A.
non-fatal accidents in industrial undertakings	16 888	15 795@	N.A.
accident rate per 1 000 industrial employees	30.6	28.8@	N.A.
fatal accidents in non-industrial undertakingsΨ	158	148@	N.A.
non-fatal accidents in non-industrial undertakings	27 192	27 035@	N.A.
accident rate per 1 000 employees in non-industrial			
undertakings	14.1	13.6@	N.A.
investigation of accidents at workplaces	12 588	11 461	N.A.
warnings issued by occupational safety officers	34 292	32 393	N.A.
prosecutions taken	2 164	2 076	N.A.
suspension/improvement notices issued	1 568	1 528	N.A.
investigations/surveys/examinations/assessments/clinical			
consultations on occupational health conducted	20 708	22 551	23 500
pressure equipment registered	1 433	1 387	1 440
examinations conducted and exemptions granted for the			
issue or endorsement of certificates of competence	411	467	440
warnings issued under the BPVO	2 590	3 208β	N.A.

[@] The accident statistics for 2006 are provisional as some of the accidents which occurred near the end of the year have yet to be reported to the Department.

Matters Requiring Special Attention in 2007-08

- 24 Major new plans for 2007–08 include:
- launching enforcement and publicity campaigns targeted at plant and equipment safety in the construction industry, with special focus on the use of cranes, derricks, hoists, construction vehicles and loadshifting machinery;
- mounting large-scale promotional programmes to raise the safety awareness of stakeholders in the catering and construction industries;
- enhancing publicity and enforcement efforts to ensure adequate protection of drainage workers from gas poisoning;
- issuing guidance notes on the safe use of chemicals in the catering industry; and
- publishing a case book on the analysis of occupational fatalities and a series of booklets on safety and health at work in relation to common diseases affecting the working population.

Programme (4): Employee Rights and Benefits

	2005–06 (Actual)	2006–07 (Original)	2006–07 (Revised)	2007–08 (Estimate)
Financial provision (\$m)	191.6	192.0	183.6 (-4.4%)	194.9 (+6.2%)
				(or +1.5% on

(or +1.5% on 2006–07 Original)

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 to 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 2006, the Department continued its vigorous enforcement against wage offences through speedy investigation of reported offences, conducting trade-targeted campaigns to detect offences, employing former veteran police officers to strengthen its capacity in intelligence gathering and evidence collection, and taking out prompt prosecution against offenders. The Department further strengthened its collection and analysis of intelligence to enable more joint operations with the Police in combating illegal employment and protecting the job opportunities of local workers.

Ψ These include cases which may subsequently be determined to be unrelated to work based on medical and other evidence.

β The increase in 2006 was due to the detection of more irregularities during inspections.

- 28 The Department continued its focused inspections to workplaces of non-skilled workers employed by contractors to provide service to government departments in order to protect their statutory rights and benefits under labour laws. Prosecutions were initiated where there was sufficient evidence. Investigation and prosecution results were promptly provided to relevant government departments.
- 29 The Department further improved the pilot Voluntary Rehabilitation Programme to enhance the benefits to injured employees. The pilot Programme has produced positive results in providing timely rehabilitation services to injured workers for better and speedier recovery.
- **30** In March 2006, the maximum penalty for wage offences under the Employment Ordinance was increased from a fine of \$200,000 and imprisonment for one year to a fine of \$350,000 and imprisonment for three years.
- **31** In June 2006, the Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Ordinance 2006 was enacted to recognise the medical treatment, examination and certification given by registered Chinese medicine practitioners for the purpose of entitlement to employee benefits under relevant labour laws. The provisions in relation to the Employment Ordinance came into effect on 1 December 2006.
- 32 The Department stepped up its liaison with non-governmental organisations for foreign domestic helpers (FDHs) and the consulates of the major exporting countries. The Department has also strengthened promotional efforts to enhance the FDHs' understanding of their employment rights. To disseminate messages to FDHs on their labour rights and benefits, the Department, together with the Immigration Department, held two information expos in November 2006 and February 2007 respectively. The Department will continue with its publicity effort.
- 33 To promote equal employment opportunities, the Department has launched publicity campaigns to enhance public awareness of the importance of removing age discrimination in employment.
 - **34** The key performance measures in respect of employee rights and benefits are:

Targets

	Target	2005 (Actual)	2006 (Actual)	2007 (Plan)
inspections to workplacesinspections per field labour inspectorstarting investigation of complaints by	120 000 820	133 014 887	$\begin{array}{c} 128\ 590\Omega \\ 852\Omega \end{array}$	120 000 820
labour inspectorwaiting time for sick leave clearance with	within 1 week upon receipt	within 1-2 weeks upon receipt¶	within 1 week upon receipt	within 1 week upon receipt
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
issuing certificates of compensation assessment	within 3 weeks	within 3 weeks	within 3 weeks	within 3 weeks
effecting payment in respect of applications to the PWIF	within 10 weeks	within 10 weeks	within 10 weeks	within 10 weeks

- Ω The Department intensified its efforts in intelligence collection and analysis to launch more targeted operations to detect wage offences and combat illegal employment. The number of inspections and inspections per field inspector dropped as a result of the revised mode of enforcement. The Department will further strengthen the targeted mode of operation.
- ¶ Investigations were conducted as soon as possible. Only 0.5% of the complaints (or three complaints) required one more day for handling after the target timeframe.

Indicators

	2005 (Actual)	2006 (Actual)	2007 (Estimate)
warnings issued	417	602α	N.A.
prosecutions takensick leave clearance interviews for injured employees	3 531	3 093	N.A.
conducted	52 140	53 860	52 000
employee compensation claims processed	57 994	62 651	63 000

	2005	2006	2007
	(Actual)	(Actual)	(Estimate)
applications for payment under the PWIF processed	12 392	8 096§	8 100
	25	41	N.A.

 $[\]alpha$ The increase in 2006 was due to the detection of more irregularities during the inspections. Warnings were issued to offending employers even when there was no prosecution witness.

Matters Requiring Special Attention in 2007-08

- 35 Major new plans for 2007–08 include:
- familiarising stakeholders with the new medical functions of registered Chinese medicine practitioners in relation to employee benefits under labour laws;
- enhancing the protection to cleansing workers and security guards under the Wage Protection Movement through stepping up inspections to workplaces; and
- continuing the intelligence-based and proactive enforcement strategy to clamp down on wage offences, with particular emphasis on the catering and construction industries.

The number of applications processed in 2006 decreased with the economic recovery and the Department's vigorous enforcement against wage offences.

ANALYSIS OF FINANCIAL PROVISION

Programme	2005–06 (Actual) (\$m)	2006–07 (Original) (\$m)	2006–07 (Revised) (\$m)	2007–08 (Estimate) (\$m)
(1) Labour Relations	103.5	107.6	103.4	108.2
(2) Employment Services	342.7	368.8	322.0	355.2
(3) Safety and Health at Work	300.8	307.2	308.9	314.1
(4) Employee Rights and Benefits	191.6	192.0	183.6	194.9
	938.6	975.6	917.9 (-5.9%)	972.4 (+5.9%)

(or -0.3% on 2006–07 Original)

Analysis of Financial and Staffing Provision

Programme (1)

Provision for 2007–08 is \$4.8 million (4.6%) higher than the revised estimate for 2006–07. This is mainly due to the launch of the Wage Protection Movement involving the creation of seven posts under this programme, salary increments for staff and filling of vacancies.

Programme (2)

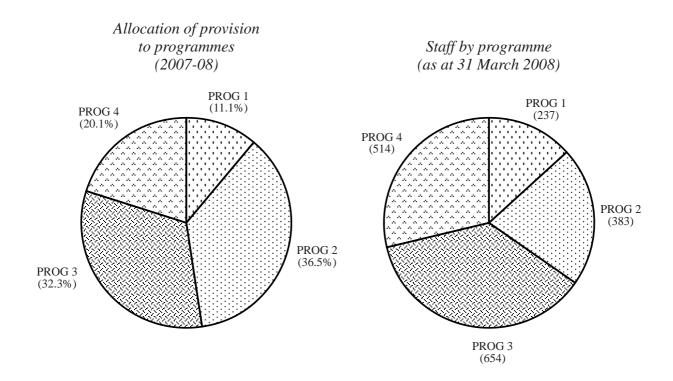
Provision for 2007–08 is \$33.2 million (10.3%) higher than the revised estimate for 2006–07. This is mainly due to the creation of eight posts for setting up two Youth Employment Resource Centres, extension of the Special Incentive Allowance Scheme for LDHs, transfer of the provision, along with two posts, for support services for the Local Employment Service System and the Selective Placement System from the Office of the Government Chief Information Officer to the Department, salary increments for staff and filling of vacancies. In addition, ten posts will be created to administer a Transport Support Scheme.

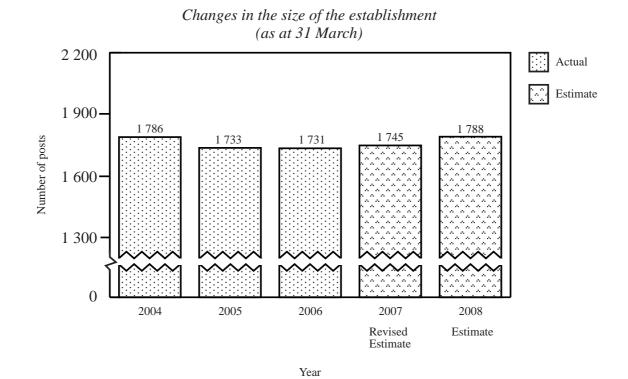
Programme (3)

Provision for 2007–08 is \$5.2 million (1.7%) higher than the revised estimate for 2006–07. This is mainly due to salary increments for staff and filling of vacancies.

Programme (4)

Provision for 2007–08 is \$11.3 million (6.2%) higher than the revised estimate for 2006–07. This is mainly due to the launch of the Wage Protection Movement involving the creation of 16 posts under this programme, procurement of services and organisation of activities to support the commencement of the Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Ordinance 2006, salary increments for staff and filling of vacancies.





Sub- head (Code)		Actual expenditure 2005–06	Approved estimate 2006–07	Revised estimate 2006–07	Estimate 2007–08
		\$'000	\$'000	\$'000	\$'000
	Operating Account				
	Recurrent				
000	Operational expenses	789,403	839,828	807,903	862,662
280	Contribution to the Occupational Safety and Health Council	3,129	3,300	3,300	3,300
295	Contribution to the Occupational Deafness Compensation Board	1,878	1,980	1,980	1,980
	Total, Recurrent	794,410	845,108	813,183	867,942
	Non-Recurrent				
700	General non-recurrent	144,173	130,500	104,000	104,500
	Total, Non-Recurrent	144,173	130,500	104,000	104,500
	Total, Operating Account	938,583	975,608	917,183	972,442
	Capital Account				
	Plant, Equipment and Works				
	Minor plant, vehicles and equipment (block				
	vote)			700	
	Total, Plant, Equipment and Works	_	_	700	_
	Total, Capital Account			700	_
	Total Expenditure	938,583	975,608	917,883	972,442

Details of Expenditure by Subhead

The estimate of the amount required in 2007–08 for the salaries and expenses of the Labour Department is \$972,442,000. This represents an increase of \$54,559,000 over the revised estimate for 2006–07 and of \$33,859,000 over actual expenditure in 2005–06.

Operating Account

Recurrent

- **2** Provision of \$862,662,000 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 2007 will be 1 745 permanent posts. It is expected that 43 permanent posts will be created in 2007–08. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2007–08, but the notional annual mid-point salary value of all such posts must not exceed \$607,912,000.
 - 4 An analysis of the financial provision under Subhead 000 Operational expenses is as follows:

	2005–06 (Actual) (\$'000)	2006–07 (Original) (\$'000)	2006–07 (Revised) (\$'000)	2007-08 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	643,714	665,877	647,978	673,562
- Allowances	5,943	6,718	7,452	8,751
- Job-related allowances	_	3	3	3
Personnel Related Expenses				
- Mandatory Provident Fund				
contribution	292	270	343	980
- Civil Service Provident Fund			444	2=0
contribution	_	_	111	370
Departmental Expenses	120 210	156 200	1.40.720	164.00
- General departmental expenses	129,210	156,388	140,730	164,885
Other Charges	10 244	10.572	11.207	14111
- Campaigns, exhibitions and publicity	10,244	10,572	11,286	14,111
	789,403	839,828	807,903	862,662

- **5** Provision of \$3,300,000 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 \$1,980,000 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

Subhead Item (Code) (Code)		Approved commitment \$'000	Accumulated expenditure to 31.3.2006 \$'000	Revised estimated expenditure for 2006–07	
-					
700	General non-recurrent				
050	Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries	3,500,000	30,215	1,000	3,468,785
532	Youth work experience and training scheme	700,000	291,287	75,000	333,713
534	Re-employment training programme for the middle-aged	60,000	18,534	9,000	32,466
536	Incentive allowance for local domestic helpers	60,000	27,958	14,500	17,542
	Total	4,320,000	367,994	99,500	3,852,506