Controlling officer: the Commissioner for Labour will account for expenditure under this Head.	
Estimate 2014–15	\$1,912.4m
<b>Establishment ceiling 2014–15</b> (notional annual mid-point salary value) representing an estimated 2 241 non-directorate posts as at 31 March 2014 rising by 62 posts to 2 303 posts as at 31 March 2015	\$997.7m
In addition, there will be an estimated 16 directorate posts as at 31 March 2014 and as at 31 March 2015.	
Commitment balance	\$7,815.1m

# **Controlling Officer's Report**

# **Programmes**

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

#### **Detail**

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

	2012–13 (Actual)	2013–14 (Original)	2013–14 (Revised)	2014–15 (Estimate)
Financial provision (\$m)	127.7	135.7	137.0 (+1.0%)	<b>155.5</b> (+13.5%)
				(or +14.6% on 2013–14 Original)

#### Aim

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

# **Brief Description**

- 3 The Department provides voluntary conciliation service to assist employers and employees to resolve disputes and claims. It promotes understanding of labour laws and encourages good people management practices.
- 4 To promote wider adoption of employee-oriented and enlightened people management measures, a large-scale seminar on good people management and family-friendly employment practices was staged in 2013. New television and radio Announcements in the Public Interest were broadcast and new posters were published in the year to appeal to employers to make prior work arrangements for typhoons and rainstorms. The public were also alerted to the trap of false self-employment through publicity mounted on public transport and roving exhibitions.
- 5 The Department is responsible for the adjudication of minor employment claims and administration of trade unions.
  - 6 The key performance measures in respect of labour relations are:

### **Targets**

	Target	2012 (Actual)	2013 (Actual)	2014 (Plan)
waiting time for consultation meetings	within 30 mins.	within 30 mins.	within 30 mins.	within 30 mins.
waiting time for conciliation meetings for claims	within	within	within	within
	5 weeks	5 weeks	5 weeks	5 weeks
waiting time for claims to be adjudicated after filing with the Minor Employment Claims Adjudication Board (MECAB)	within	within	within	within
	5 weeks	5 weeks	5 weeks	5 weeks

	Target	2012 (Actual)	2013 (Actual)	2014 (Plan)
processing registration of new trade unions	within 4 weeks	within 4 weeks	within 4 weeks	within 4 weeks
processing registration of changes of union names/rules	within 10 days 360	within 10 days 377	within 10 days 381	within 10 days 380
Indicators				
		2012 (Actual)	2013 (Actual)	2014 (Estimate)
consultation meetings heldlabour disputes and claims handled		68 594 18 999	66 928 17 585	67 000 18 000
labour disputes and claims with conciliation servendered		18 382 13 450	17 025 12 657	17 000 12 500
labour disputes and claims resolved through conciliation (%)		73.2 375 1 561	74.3 13 437 1 523	73.5 375Ψ 1 500
cases of registration of new trade unions and cha union names/rules	anges of	150	113	110

<sup>^</sup> Excluding labour disputes and claims for which conciliation service is not rendered because the employers concerned are insolvent or cannot be reached.

# Matters Requiring Special Attention in 2014–15

- 7 Major new plans for 2014–15 include:
- introducing a bill on providing paid paternity leave to working fathers with newborn child in the 2013/14 legislative session,
- pursuing a proposal to amend the reinstatement and re-engagement provisions under the Employment Ordinance (Cap. 57), and
- promoting family-friendly employment practices in collaboration with industry-based Tripartite Committees.

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

	2012–13 (Actual)	2013–14 (Original)	2013–14 (Revised)	2014–15 (Estimate)
Financial provision (\$m)	632.4	1,166.9	786.6 (-32.6%)	<b>998.2</b> (+26.9%)
				(or -14.5% on 2013–14 Original)

### Aim

**8** The aim is to provide a comprehensive range of free employment assistance and recruitment services to help job seekers find suitable jobs and employers find recruits.

### **Brief Description**

- **9** The Department provides free employment service to all job seekers. It provides assistance and counselling services to the unemployed and persons with disabilities; career guidance, pre-employment and on-the-job training to young people; and labour market information to all job seekers, including new arrivals and ethnic minorities.
- 10 The Department is also responsible for processing applications under the Supplementary Labour Scheme (SLS) and ensuring priority of employment for local workers.

Ψ The drastic increase in working days lost in 2013 was attributed to a protracted industrial action that happened from March to May. As the incident was an isolated case, the actual figure in 2012 is used for estimating the number for 2014.

- 11 Moreover, the Department is responsible for establishing Working Holiday Schemes with overseas economies and their promotion so that more of our young people can broaden their horizons through living and temporarily working overseas.
- 12 The Work Incentive Transport Subsidy (WITS) Scheme seeks to help relieve the burden of work-related travelling expenses on low-income earners so as to promote sustained employment. The Scheme has since 2013 provided the option of individual-based applications in addition to household-based applications. As at the end of 2013, there were 142 898 applications (of which 23 436 were individual-based), and the funds disbursed totalled \$512.7 million
  - 13 The key performance measures in respect of employment services are:

### **Targets**

	_	2012	2013	2014
	Target	(Actual)	(Actual)	(Plan)
displaying vacancy information upon				
receipt of request from employers	90% of	93% of	93% of	90% of
	vacancies	vacancies	vacancies	vacancies
	displayed	displayed	displayed	displayed
	within	within	within	within
	5 working	5 working	5 working	5 working
arranging job referral upon receipt of	days	days	days	days
request from job seekers	within	within	within	within
ı J	30 mins. of	30 mins. of	30 mins. of	30 mins. of
	appointment	appointment	appointment	appointment
	time	time	time	time
arranging employment consultation for				
job seekers enrolling in the Pilot Employment Navigator				
Programme (ENP)	within	within	N.A.@	N.A.@
1 Togramme (ETVI)	1 week	1 week	11.71.00	1111111
issuing employment agency licences	within	within	within	within
	2 weeks	2 weeks	2 weeks	2 weeks
inspections to employment agencies	1 800§	1 328	1 341	1 800

<sup>(</sup>a) The two-year ENP ended on 13 December 2012.

### **Indicators**

	2012	2013	2014
	(Actual)	(Actual)	(Estimate)
able-bodied job seekers			
persons registered	99 812	82 748	83 000
placements	145 017	156 727	150 000
job seekers with disabilities			
persons registered	2 686	2 605	2 600
placements	2 512	2 461	2 400
young people enrolled in the Youth Employment and			
Training Programme (YETP) $\Omega$	9 434	8 095	8 500
young people receiving employment and self-employment			
advisory and support services provided by the Youth			
Employment Resource Centres	73 758	74 850	72 000
employment agency licences issued	2 346	2 718	2 700
applications under the SLS processed	1 009	1 114	1 100

 $<sup>\</sup>Omega$  The YETP (formerly known as the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme) operates on a programme year basis, running from September each year to August of the following year. The number of trainees enrolled in 2012 and 2013 referred to the number of trainees enrolled in the 2011/12 programme year and the 2012/13 programme year respectively.

<sup>§</sup> In order to strengthen the monitoring of employment agencies, the target number of inspections is increased from 1 300 to 1 800.

### Matters Requiring Special Attention in 2014–15

- 14 Major new plans for 2014–15 include:
- organising thematic job fairs to enhance the dissemination of employment market information,
- conducting a comprehensive review of the WITS Scheme, and
- strengthening inspection of employment agencies.

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

	2012–13	2013–14	2013–14	2014–15
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	391.2	409.8	406.5 (-0.8%)	<b>428.6</b> (+5.4%)

(or +4.6% on 2013–14 Original)

### Aim

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

### **Brief Description**

- 16 This programme covers the enforcement of the Occupational Safety and Health Ordinance (Cap. 509) (OSHO), the Factories and Industrial Undertakings Ordinance (Cap. 59) (FIUO) and the Boilers and Pressure Vessels Ordinance (Cap. 56) (BPVO). The work undertaken includes the provision of training courses, organising of seminars and rendering advice to stakeholders on the prevention of accidents, work hazards, and publication of guide books and other publicity materials. In addition, promotional visits are conducted to encourage employers to take ownership in managing risks at the workplace. Statutory suspension notices are issued to remove imminent risks to the safety and health of those at work; improvement notices are issued to secure speedy rectification of irregularities to prevent accidents; and prosecution is taken out to serve as a stern reminder to those who disregard the law and to deter others from committing similar offence.
- 17 The Department strengthens enforcement against industries or establishments with poor performance records. In addition to regular surprise inspections, enforcement campaigns targeted at specific risks or accident-prone work situations are launched. In 2013, enforcement campaigns were conducted in several areas, including construction works (with emphasis on work-at-height and tunnelling works); renovation, maintenance, alteration and addition (RMAA) works; logistics, cargo and container handling works; and waste treatment works, etc.
- 18 In 2013, two large-scale promotional programmes were launched to promote safety awareness in the catering and construction industries. Large-scale promotion and publicity campaigns were also organised to raise the safety awareness of work-at-height, electrical works and RMAA works.
- 19 In 2013, publicity and enforcement targeting outdoor workplaces with a higher risk of heat stroke continued. Besides, in collaboration with the Occupational Safety and Health Council and relevant trade unions, occupational safety and health messages were promoted among professional drivers and workers in the retail, catering and cleansing industries.
  - 20 The key performance measures in respect of safety and health at work are:

#### **Targets**

	Target	2012 (Actual)	2013 (Actual)	2014 (Plan)
inspections under the FIUO and the OSHOinspections per field inspector under the	113 400	128 821	123 115	113 400
FIUO and the OSHO	450	503	500	450
investigation of occupational diseases	within	within	within	within
·	24 hours upon notification			
promotional visits to workplaces under the				
FIUO and the OSHO	4 800	5 373	5 901	4 800
inspections under the BPVO	4 630	4 769	4 761	4 630
inspections per field inspector under the BPVO	1 030	1 060	1 058	1 030

	Target	2012 (Actual)	2013 (Actual)	2014 (Plan)
processing registration of pressure equipment	within 3 weeks	within 3 weeks	within 3 weeks	within 3 weeks
organising talks, lectures and seminars	2 050	2 023	1 944	2 050
Indicators				
		2012	2013	2014
		(Actual)	(Actual)	(Estimate)
fatal accidents in industrial undertakings		29	30δ	N.A.
non-fatal accidents in industrial undertakings		12 518	10 739δ	N.A.
accident rate per 1 000 industrial employees		21.3	17.9δ	N.A.
fatal accidents in non-industrial undertakings∆.		167	148δ	N.A.
non-fatal accidents in non-industrial undertaking		27 193	23 895δ	N.A.
accident rate per 1 000 employees in non-indust	rial			
undertakings		12.2	10.6δ	N.A.
investigation of accidents at workplaces		13 442	13 266	13 000
warnings issued by occupational safety officers		31 498	30 496	30 000
prosecutions taken		2 515	2 604	2 600
suspension/improvement notices issued		2 403	2 526	2 500
investigations/surveys/examinations/assessment				
consultations on occupational health conduct		26 437	25 286	25 000
pressure equipment registered		1 813	1 892	1 900
examinations conducted and exemptions granted		200	10.1	400
issue or endorsement of certificates of compe		380	424	420
warnings issued under the BPVO		3 237	3 723	3 700

δ The accident statistics for 2013 are provisional as some of the accidents which occurred towards the end of the year have yet to be verified. The figures are subject to change owing to data processing and pending accident investigations. In particular, the figures on accident rate per 1 000 employees can only be confirmed when the annual employment figures are provided by the Census and Statistics Department in late March 2014.

### Matters Requiring Special Attention in 2014–15

- 21 Major new plans for 2014–15 include:
- intensifying systematic preventive and enforcement measures to ensure construction site safety in view of the increase in the number of new works projects and the growth in building renovation and maintenance works, and
- launching safety enhancement initiatives and large-scale promotional programmes to raise the standard and awareness of occupational safety and health among stakeholders in the construction and catering industries.

# Programme (4): Employees' Rights and Benefits

2014–15 (Estimate)	2013–14 (Revised)	2013–14 (Original)	2012–13 (Actual)	
<b>330.1</b> (+7.0%)	308.6 (-5.9%)	328.0	285.3	Financial provision (\$m)
(or +0.6% on 2013–14 Original)				

### Aim

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

# **Brief Description**

23 The Department safeguards the rights and benefits of all employees and combats illegal employment through inspections to workplaces and other premises, processing employees' compensation claims, administering the Protection of Wages on Insolvency Fund (PWIF), and investigating complaints relating to the employment of imported workers.

Δ These include cases which medical and other evidence subsequently suggests are unrelated to work.

- 24 The Department takes rigorous enforcement action against wage offences, including breaches of the Statutory Minimum Wage (SMW) provisions and wilful defaults of Labour Tribunal or MECAB awards, through speedy investigation into reported offences, conducting trade-targeted campaigns to detect offences, strengthening intelligence gathering and evidence collection, and taking out prompt prosecution.
- 25 Targeted operations are mounted with the Police and the Immigration Department to combat illegal employment for protecting the job opportunities of local workers. The Department also launches publicity programmes to enhance public awareness of the serious consequences of employing illegal workers.
- 26 The Department has organised territory-wide publicity activities to promote public awareness of the revised SMW rate which came into effect from May 2013 and assist employers and employees in understanding their respective obligations and entitlements under the SMW system.
- 27 The Standard Working Hours (SWH) Committee was set up in April 2013 with members drawn from the business and labour sectors, academia, community and government. The Committee was appointed for a term of three years to follow up on the Government's Policy Study on SWH, and engage the public in informed and in-depth discussions on working hours issues.
- 28 The Department has continued its promotional efforts to enhance the understanding of employers and foreign domestic helpers (FDHs) on their statutory and contractual rights and obligations. Four information kiosks were set up at the popular gathering places of FDHs to screen a publicity video on the employment of FDHs and distribute information packs. In addition, the publicity video was screened at public venues to reach more FDHs and their employers.
- 29 To promote equal employment opportunities, the Department keeps up its publicity efforts in enhancing public awareness of the importance of eliminating age discrimination in employment.
  - 30 The key performance measures in respect of employees' rights and benefits are:

### **Targets**

	Target	2012 (Actual)	2013 (Actual)	2014 (Plan)
inspections to workplacesinspections per field labour inspectorstarting investigation of complaints by	130 000 780	143 680 777	151 912 778	152 000 780
labour inspector	within 1 week upon receipt	within 1 week upon receipt	within 1 week upon receipt	within 1 week upon receipt
waiting time for sick leave clearance 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
Indicators				
		2012 (Actual)	2013 (Actual)	2014 (Estimate)
warnings issuedprosecutions takensick leave clearance interviews for injured em		472 2 896	495 2 075	500 2 100
conductedemployees' compensation claims processed applications for payment under the PWIF proc		43 680 56 763 3 374	42 051 55 168 2 150	42 000 55 000 2 200
cases related to imported workers investigated	1	48	56	50

# Matters Requiring Special Attention in 2014–15

- 31 Major new plans for 2014–15 include:
- continuing with targeted enforcement action to check employers' compliance with their obligations under labour legislation, and
- supporting the SWH Committee's work in carrying out an extensive public engagement campaign and comprehensive surveys.

#### ANALYSIS OF FINANCIAL PROVISION

Pro	gramme	2012–13 (Actual) (\$m)	2013–14 (Original) (\$m)	2013–14 (Revised) (\$m)	2014–15 (Estimate) (\$m)
(1)	Labour Relations	127.7	135.7	137.0	155.5
(2)	Employment Services	632.4	1,166.9	786.6	998.2
(3)	Safety and Health at Work	391.2	409.8	406.5	428.6
(4)	Employees' Rights and Benefits	285.3	328.0	308.6	330.1
		1,436.6	2,040.4	1,638.7 (-19.7%)	1,912.4 (+16.7%)

(or -6.3% on 2013–14 Original)

# **Analysis of Financial and Staffing Provision**

# Programme (1)

Provision for 2014–15 is \$18.5 million (13.5%) higher than the revised estimate for 2013–14. This is mainly due to increased operating expenses, an increase of three posts, filling of vacancies and salary increments for staff.

# Programme (2)

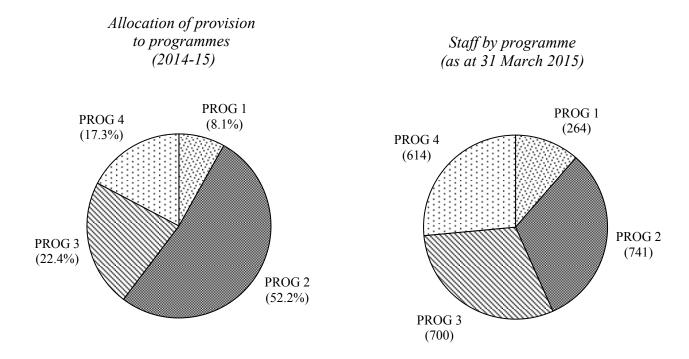
Provision for 2014–15 is \$211.6 million (26.9%) higher than the revised estimate for 2013–14. This is mainly due to increased expenditure in employment programmes, increased non-recurrent cash flow requirement for meeting the expenditure of the WITS Scheme, a net increase of 26 posts, filling of vacancies and salary increments for staff.

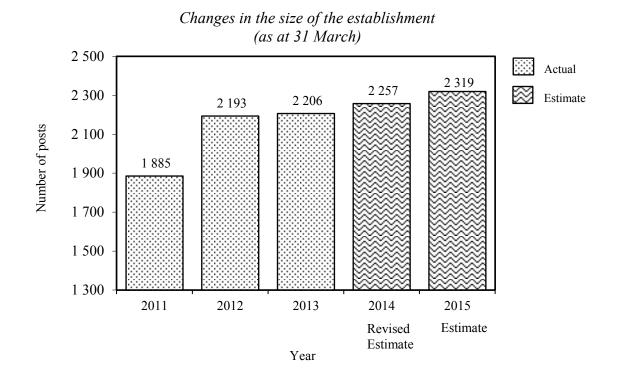
### Programme (3)

Provision for 2014–15 is \$22.1 million (5.4%) higher than the revised estimate for 2013–14. This is mainly due to increased operating expenses, an increase of 18 posts, filling of vacancies and salary increments for staff.

# Programme (4)

Provision for 2014–15 is \$21.5 million (7.0%) higher than the revised estimate for 2013–14. This is mainly due to increased operating expenses, an increase of 15 posts, filling of vacancies and salary increments for staff.





Sub- head (Code)	Operating Account	Actual expenditure 2012–13	Approved estimate 2013–14 \$'000	Revised estimate 2013–14 \$'000	Estimate 2014–15 ** "000
	Recurrent				
000	Operational expenses	1,185,883	1,486,931	1,269,090	1,498,078
280	Contribution to the Occupational Safety and Health Council	5,189	5,420	6,167	6,476
295	Contribution to the Occupational Deafness Compensation Board	1,816	1,897	2,159	2,266
	Total, Recurrent	1,192,888	1,494,248	1,277,416	1,506,820
	Non-Recurrent				
700	General non-recurrent	243,702	546,184	361,263	405,592
	Total, Non-Recurrent	243,702	546,184	361,263	405,592
	Total, Operating Account	1,436,590	2,040,432	1,638,679	1,912,412
	Total Expenditure	1,436,590	2,040,432	1,638,679	1,912,412

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

The estimate of the amount required in 2014–15 for the salaries and expenses of the Labour Department is \$1,912,412,000. This represents an increase of \$273,733,000 over the revised estimate for 2013–14 and of \$475,822,000 over the actual expenditure in 2012–13.

### Operating Account

### Recurrent

- 2 Provision of \$1,498,078,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Labour Department. The increase of \$228,988,000 (18.0%) over the revised estimate for 2013–14 is mainly due to the increased requirement for enhancing employment support services.
- 3 The establishment as at 31 March 2014 will be 2 256 permanent posts and one supernumerary post. It is expected that there will be a net increase of 62 posts in 2014–15. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2014–15, but the notional annual mid-point salary value of all such posts must not exceed \$997,655,000.
  - 4 An analysis of the financial provision under Subhead 000 Operational expenses is as follows:

	2012–13 (Actual) (\$'000)	2013–14 (Original) (\$'000)	2013–14 (Revised) (\$'000)	2014–15 (Estimate) (\$'000)
Personal Emoluments				
- Salaries - Allowances - Job-related allowances	916,281 17,282 1	1,001,034 10,292 3	987,919 11,614 3	1,055,639 12,987 3
Personnel Related Expenses				
Mandatory Provident Fund     contribution  - Civil Service Provident Fund	2,965	4,395	3,606	4,312
contribution	13,973	16,887	18,629	25,164
Departmental Expenses - General departmental expenses Other Charges	205,767	431,828	220,121	376,253
- Campaigns, exhibitions and publicity	29,614	22,492	27,198	23,720
	1,185,883	1,486,931	1,269,090	1,498,078

<sup>5</sup> Provision of \$6,476,000 under *Subhead 280 Contribution to the Occupational Safety and Health Council* is to meet the annual contribution to the Occupational Safety and Health Council (OSHC). The amount of contribution is currently based on a proportion of the amount of levy received by the OSHC, with the proportion equivalent to the ratio of the size of the civil service to the working population in Hong Kong.

**<sup>6</sup>** Provision of \$2,266,000 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 OSHC.

# Commitments

Ambit	Approved commitment  \$'000	Accumulated expenditure to 31.3.2013  \$'000	Revised estimated expenditure for 2013–14	Balance \$'000
count				
General non-recurrent				
Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries	3,500,000	31,954	120	3,467,926
Work Incentive Transport Subsidy Scheme	4,805,000	322,715	348,850	4,133,435
Enhanced and integrated employment programmes	398,600	194,341	2,771	201,488
Special Employment Project for Vulnerable Youths	33,000	12,254	8,500	12,246
Total	8,736,600	561,264	360,241	7,815,095
	Count  General non-recurrent  Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries  Work Incentive Transport Subsidy Scheme  Enhanced and integrated employment programmes  Special Employment Project for Vulnerable Youths	Ambit  Commitment  \$'000  Count  General non-recurrent  Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries	Ambit  Approved commitment to 31.3.2013  \$'000  Sount  General non-recurrent  Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries 3,500,000 31,954  Work Incentive Transport Subsidy Scheme 4,805,000 322,715  Enhanced and integrated employment programmes 398,600 194,341  Special Employment Project for Vulnerable Youths 33,000 12,254	Ambit  Approved commitment   Approved commitment   Expenditure to 31.3.2013   Expenditure to 31.3.2013   For 2013–14    S'000   S'000   S'000   S'000    S'000   S'000   S'000   S'000    Count  General non-recurrent  Loan guarantee scheme for Severe Acute Respiratory Syndrome impacted industries   3,500,000   31,954   120    Work Incentive Transport Subsidy Scheme   4,805,000   322,715   348,850    Enhanced and integrated employment programmes   398,600   194,341   2,771    Special Employment Project for Vulnerable Youths   33,000   12,254   8,500    Accumulated expenditure to 31.3.2013   for 2013–14    Estimated expenditure to 31.3.20