Controlling officer: the Commissioner for Labour will account for expenditure under this Head.

Estimate 2016–17	\$1,947.3m
<b>Establishment ceiling 2016–17</b> (notional annual mid-point salary value) representing an estimated 2 376 non-directorate posts as at 31 March 2016 rising by six posts to 2 382 posts as at 31 March 2017.	\$1,131.2m
In addition, there will be an estimated 16 directorate posts as at 31 March 2016 and as at 31 March 2017.	
Commitment balance	\$3,379.7m

# **Controlling Officer's Report**

## Programmes

**Programme (1) Labour Relations** These programmes contribute to Policy Area 8: Employment **Programme (2) Employment Services** and Labour (Secretary for Labour and Welfare). Programme (3) Safety and Health at Work Programme (4) Employees' Rights and Benefits Detail **Programme (1): Labour Relations** 2014-15 2015-16 2015-16 2016-17 (Actual) (Original) (Revised) (Estimate) Financial provision (\$m) 146.8 157.9 160.5 174.2 (+1.6%)(+8.5%)

(or +10.3% on 2015–16 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** In 2015, extensive publicity efforts were made to promote family-friendly employment practices (FFEP), including the newly enacted statutory paternity leave. A thematic seminar for human resources practitioners with emphasis on FFEP was staged. A series of news supplements and a casebook were published to showcase the best practices of employers in implementing FFEP. The Department also introduced for the first time a set of FFEP practical guidelines for a particular trade - the catering industry. In the year, the Department also started to promote friendly employment measures for mature persons. Related promotional activities included broadcasting a new set of television and radio Announcements in the Public Interest (APIs) to promote employment of mature persons, disseminating the message to human resources practitioners and distributing publicity materials.

**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	2014 (Actual)	2015 (Actual)	2016 (Plan)
waiting time for consultation meetings	within 30 mins.	within 30 mins.	within 30 mins.	within 30 mins.
claims	within 5 weeks	within 5 weeks	within 5 weeks	within 5 weeks

# Head 90 — LABOUR DEPARTMENT

	Target	2014 (Actual)	2015 (Actual)	2016 (Plan)
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
processing registration of new trade				• / • •
unions	within 4 weeks	within	within 4 weeks	within
processing registration of changes of union	4 weeks	4 weeks	4 weeks	4 weeks
names/rules	within	within	within	within
	10 days	10 days	10 days	10 days
inspections to trade unions	360	376	367	360
-				
Indicators				
		2014	2015	2016
		(Actual)	(Actual)	(Estimate)
a an autotion montine as held		64 083	63 551	63 500
consultation meetings held labour disputes and claims handled		15 832	14 441	03 500 14 500
labour disputes and claims nanded	vice	15 852	14 441	14 300
rendered^		15 241	13 962	13 900
labour disputes and claims resolved through con	nciliation	11 182	10 260	10 200
labour disputes and claims resolved through				
conciliation (%)		73.4	73.5	73.4
working days lost from labour disputes known.		138	103	103
claims adjudicated by MECAB		1 160	1 054	1 100
and a financiation of nour trade unions and all				
cases of registration of new trade unions and ch union names/rules	anges of	126	134	130

∧ 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 2016–17

- 7 Major new plans for 2016–17 include:
- pursuing a proposal to amend the reinstatement and re-engagement provisions under the Employment Ordinance (Cap. 57), and
- launching a new set of television and radio APIs to continue the promotion of FFEP.

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

	2014–15 (Actual)	2015–16 (Original)	2015–16 (Revised)	2016–17 (Estimate)
Financial provision (\$m)	850.7	954.9	853.8 (-10.6%)	<b>913.9</b> (+7.0%)
				(

(or -4.3% on 2015-16 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. To encourage employers to offer more part-time employment opportunities for mature persons, the Employment Programme for the Middle-aged has been extended to cover part-time jobs since September 2015. A Construction Industry Recruitment Centre commenced operation in January 2016 to assist local construction workers to find jobs and employers of the industry recruit local workers.

10 The Department is also responsible for processing applications under the Supplementary Labour Scheme (SLS) and ensuring priority of employment for local workers in filling SLS vacancies.

11 Moreover, the Department is responsible for discussion for new and expanded Working Holiday Schemes with overseas economies as well as the promotion of the Schemes 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 2015, there were 306 154 applications (of which 122 207 were individual-based), and the funds disbursed totalled \$1,188.9 million.

13 The key performance measures in respect of employment services are:

Targets

5				
		2014	2015	2016
	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
	days	days	days	days
arranging job referral upon receipt of	-	-	-	-
request from job seekers	within	within	within	within
	30 mins. of	30 mins. of	30 mins. of	30 mins. of
	appointment	appointment	appointment	appointment
	time	time	time	time
issuing employment agency licences	within	within	within	within
	2 weeks	2 weeks	2 weeks	2 weeks
inspections to employment agencies	1 800	1 806	1 803	1 800
Indicators				
		2014	0.015	0016
		2014	2015	2016
		(Actual)	(Actual)	(Estimate)
able-bodied job seekers				
persons registered		75 314	67 221	67 000
placements	••••••	151 536	148 347	148 000
job seekers with disabilities	••••••	101 000	110 5 17	110 000
persons registered		2 650	2 720	2 700
placements	••••••	2 464	$\frac{2}{2}$ 401	2 450
young people enrolled in the Youth Employm	nent and	2 10 1	2 101	- 100
Training Programme (YETP) $\Omega$		7 753	6 741	7 000
young people receiving employment and self-		1 1 5 5	0 / 11	/ 000
advisory and support services provided by	the Youth			
Employment Resource Centres		74 288	73 394	72 000
employment agency licences issued		2 843	2 775	2 800
applications under the SLS processed		1 166	1 052	1 100
applications ander the SES processed	• • • • • • • • • • • • • • • • • • • •	1 100	1 052	1 100

 $\Omega$  The YETP operates on a programme year basis, running from September each year to August of the following year. The number of trainees enrolled in 2014 and 2015 refer to the number of trainees enrolled in the 2013/14 programme year and the 2014/15 programme year respectively.

# Matters Requiring Special Attention in 2016–17

**14** Major new plans for 2016–17 include:

- establishing a dedicated employment information e-platform for job seekers with higher education, in particular local residents who receive higher education outside Hong Kong as well as overseas talents;
- strengthening employment support for job seekers with disabilities by engaging a non-governmental organisation under a pilot scheme to help job seekers in need of counselling service; and
- following up on the comprehensive review of the WITS Scheme.

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

	2014–15 (Actual)	2015–16 (Original)	2015–16 (Revised)	2016–17 (Estimate)
Financial provision (\$m)	433.6	453.1	465.3 (+2.7%)	<b>484.0</b> (+4.0%)
				(or +6.8% on

2015–16 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 potential 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 2015, enforcement campaigns were conducted in several areas, including construction works (with emphasis on work-at-height, lifting operations and electrical works); renovation, maintenance, alteration and addition (RMAA) works; catering industry, logistics, cargo and container handling works; and waste management works, etc.

18 In 2015, 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. In collaboration with the Occupational Safety and Health Council (OSHC), a sponsorship scheme was launched to subsidise small and medium enterprises in buying proper light-duty working platforms with a view to enhancing workers' safety when working above ground.

**19** In 2015, publicity and enforcement targeting outdoor workplaces with a higher risk of heat stroke continued. Besides, in collaboration with the OSHC 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	2014 (Actual)	2015 (Actual)	2016 (Plan)
inspections under the FIUO and the OSHO inspections per field inspector under the	114 700	124 907	130 173	114 700
FIUO and the OSHO	450	505	524	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	4 860	5 837	5 994	4 860
inspections under the BPVO	4 630	4 762	4 748	4 630
inspections per field inspector under the				
BPVO	1 030	1 058	1 055	1 030
processing registration of pressure				
equipment	within	within	within	within
- 1- F	3 weeks	3 weeks	3 weeks	3 weeks
organising talks, lectures and seminars	2 040	2 047	2 106	2 040

# Head 90 — LABOUR DEPARTMENT

## Indicators

	2014 (Actual)	2015 (Actual)	2016 (Estimate)
fatal accidents in industrial undertakings	25	24δ	N.A.
non-fatal accidents in industrial undertakings	11 652	10 5968	N.A.
accident rate per 1 000 industrial employees	19	17δ	N.A.
fatal accidents in non-industrial undertakings∆	185	144δ	N.A.
non-fatal accidents in non-industrial undertakings	25 661	22 3858	N.A.
accident rate per 1 000 employees in non-industrial			
undertakings	11.1	9.68	N.A.
investigation of accidents at workplaces	14 758	15 046	15 000
warnings issued by occupational safety officers	30 961	32 812	33 000
prosecutions taken	2 709	2 684	2 700
suspension/improvement notices issued	3 011	3 145	3 100
investigations/surveys/examinations/assessments/clinical			
consultations on occupational health conducted	22 164	21 592	22 000
pressure equipment newly registered	1 925	1 973	2 000
examinations conducted and exemptions granted for the			
issue or endorsement of certificates of competency	421	506	510
warnings issued under the BPVO	3 197	3 438	3 400

 $\delta$  These are provisional accident statistics as some of the accidents which occurred towards the end of the year have yet to be verified. The figures are subject to adjustments pending data analysis and accident investigations.

 $\Delta$  These include cases where medical and other evidence suggest to be unrelated to work.

## Matters Requiring Special Attention in 2016–17

- **21** Major new plans for 2016–17 include:
- intensifying systematic preventive and enforcement efforts to tackle fall-from-height hazards and other work hazards in the construction sector, including major works projects and RMAA works; and
- launching safety enhancement initiatives and large-scale promotional programmes to raise the standard and awareness of stakeholders in the construction and catering industries on occupational safety and health.

## Programme (4): Employees' Rights and Benefits

	2014–15	2015–16	2015–16	2016–17
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	329.2	352.1	351.2 (-0.3%)	<b>375.2</b> (+6.8%)

(or +6.6% on 2015–16 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.

**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** The Department has organised territory-wide publicity activities to enhance public awareness of the revised SMW rate which came into effect from May 2015 and assist employers and employees in understanding their respective obligations and entitlements under the SMW system.

**26** 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.

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 the Government. The Committee was appointed for a term of three years to follow up the Government's Policy Study on SWH, engage the public in informed and in-depth discussions on working hours issues, and advise on the working hours situation in Hong Kong, including whether a statutory SWH regime or any other alternatives should be considered.

28 The Department has continued its promotional efforts in enhancing the understanding of employers and foreign domestic helpers (FDHs) on their statutory and contractual rights and obligations. Six 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. The publicity video was also screened at public venues to reach more FDHs and their employers. In addition, television and radio APIs were broadcast from time to time to raise the awareness of FDHs and their employers on their rights and obligations. Besides, in order to familiarise FDHs with their rights and duties, as well as the channels for seeking assistance, we have placed advertisements in local Filipino and Indonesian newspapers and produced other publicity materials for distribution. The Department has also stepped up collaboration with respective Consulates-General to exchange information and attend the briefings that they organise for FDHs, particularly the new arrivals in Hong Kong to educate them on their employment rights and channels for reporting complaints/abuses.

**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	2014 (Actual)	2015 (Actual)	2016 (Plan)
inspections to workplaces inspections per field labour inspector starting investigation of complaints by	130 000 780	146 991 780	143 037# 777	147 000 780
labour inspector	within	within	within	within
	1 week upon	1 week upon	1 week upon	1 week upon
	receipt	receipt	receipt	receipt
waiting time for sick leave clearance for injured employees	within	within	within	within
	30 mins. of	30 mins. of	30 mins. of	30 mins. of
	appointment	appointment	appointment	appointment
	time	time	time	time
issuing certificates of compensation	within	within	within	within
assessment	3 weeks	3 weeks	3 weeks	3 weeks
effecting payment in respect of applications to the PWIF	within	within	within	within
	10 weeks	10 weeks	10 weeks	10 weeks

# Out of the total 143 037 workplace inspections, 14 512 (10.1%) workplaces were locked, 16 769 (11.7%) were removed and 215 (0.2%) were not in operation.

# Indicators

	2014 (Actual)	2015 (Actual)	2016 (Estimate)
warnings issued	477	544	540
prosecutions taken	1 663	1 903	1 900
sick leave clearance interviews for injured employees			
conducted	43 494	45 884	46 000
employees' compensation claims processed	53 917	51 917	52 000
applications for payment under the PWIF processed cases related to imported workers under the SLS	2 544	3 227	3 200
investigated	60	62	60

## Matters Requiring Special Attention in 2016–17

- **31** Major new plans for 2016–17 include:
- · supporting the work of the Minimum Wage Commission on the review of the SMW rate,
- supporting the SWH Committee's work in submitting a report to the Government and promoting understanding of the working hours policy, and
- introducing a code of practice to tighten control on local employment agencies including those engaged in the hiring of FDHs.

# ANALYSIS OF FINANCIAL PROVISION

Pro	gramme	2014–15 (Actual) (\$m)	2015–16 (Original) (\$m)	2015–16 (Revised) (\$m)	2016–17 (Estimate) (\$m)
(1)	Labour Relations	146.8	157.9	160.5	174.2
(2)	Employment Services	850.7	954.9	853.8	913.9
(3)	Safety and Health at Work	433.6	453.1	465.3	484.0
(4)	Employees' Rights and Benefits	329.2	352.1	351.2	375.2
		1,760.3	1,918.0	1,830.8 (-4.5%)	1,947.3 (+6.4%)

(or +1.5% on 2015–16 Original)

## Analysis of Financial and Staffing Provision

## Programme (1)

Provision for 2016–17 is \$13.7 million (8.5%) higher than the revised estimate for 2015–16. This is mainly due to increased operating expenses, an increase of two posts, filling of vacancies and salary increments for staff.

#### **Programme (2)**

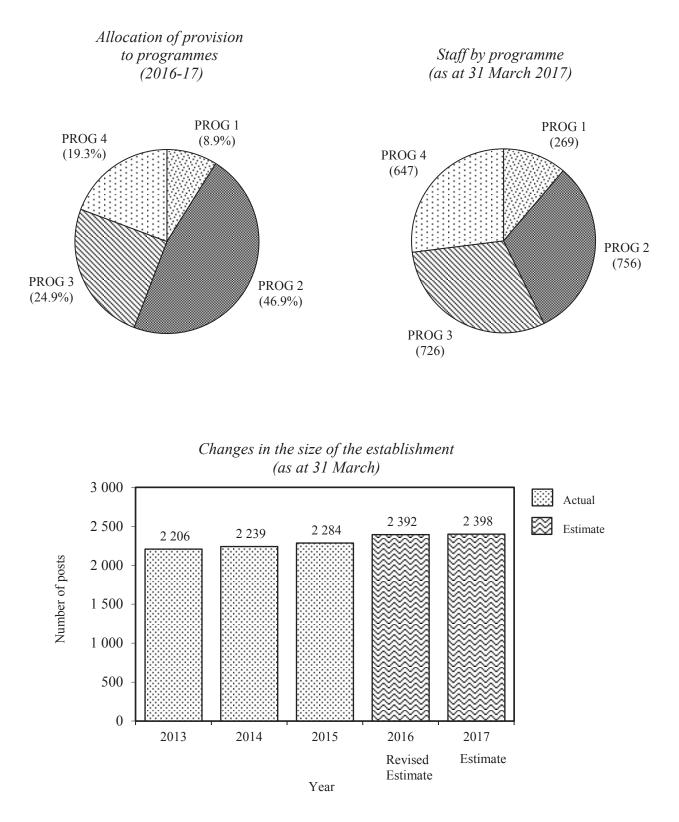
Provision for 2016–17 is \$60.1 million (7.0%) higher than the revised estimate for 2015–16. This is mainly due to increased expenditure on employment programmes, filling of vacancies and salary increments for staff, partly offset by a net decrease of 37 posts.

## Programme (3)

Provision for 2016–17 is \$18.7 million (4.0%) higher than the revised estimate for 2015–16. This is mainly due to increased operating expenses, a net increase of 19 posts, filling of vacancies and salary increments for staff.

## Programme (4)

Provision for 2016–17 is \$24.0 million (6.8%) higher than the revised estimate for 2015–16. This is mainly due to increased operating expenses, a net increase of 22 posts, filling of vacancies and salary increments for staff.



Sub- head (Code)		Actual expenditure 2014–15	Approved estimate 2015–16	Revised estimate 2015–16	Estimate 2016–17
		\$'000	\$'000	\$'000	\$'000
	<b>Operating Account</b>				
	Recurrent				
000	Operational expenses	1,356,524	1,495,679	1,459,317	1,574,523
280 295	Contribution to the Occupational Safety and Health Council Contribution to the Occupational Deafness	6,467	6,947	6,232	6,668
295	Compensation Board	2,264	2,431	2,181	2,334
	Total, Recurrent	1,365,255	1,505,057	1,467,730	1,583,525
	Non-Recurrent				
700	General non-recurrent	395,074	412,900	363,108	363,767
	Total, Non-Recurrent	395,074	412,900	363,108	363,767
	Total, Operating Account	1,760,329	1,917,957	1,830,838	1,947,292
	Total Expenditure	1,760,329	1,917,957	1,830,838	1,947,292

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

The estimate of the amount required in 2016–17 for the salaries and expenses of the Labour Department is \$1,947,292,000. This represents an increase of \$116,454,000 over the revised estimate for 2015–16 and \$186,963,000 over the actual expenditure in 2014–15.

#### **Operating** Account

#### Recurrent

**2** Provision of \$1,574,523,000 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 2016 will be 2 392 posts including one supernumerary post. It is expected that there will be a net increase of six permanent posts in 2016–17. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2016–17, but the notional annual mid-point salary value of all such posts must not exceed \$1,131,233,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2014–15 (Actual) (\$'000)	2015–16 (Original) (\$'000)	2015–16 (Revised) (\$'000)	2016–17 (Estimate) (\$'000)
Personal Emoluments				
- Salaries - Allowances - Job-related allowances Personnel Related Expenses	1,027,326 14,453	1,115,694 14,315 3	1,116,315 12,767 3	1,170,417 13,463 3
<ul> <li>Mandatory Provident Fund contribution</li> <li>Civil Service Provident Fund</li> </ul>	2,932	4,501	3,684	4,587
contribution Departmental Expenses	25,612	32,090	33,125	42,072
- General departmental expenses Other Charges	257,048	302,655	263,466	313,312
- Campaigns, exhibitions and publicity	29,153	26,421	29,957	30,669
	1,356,524	1,495,679	1,459,317	1,574,523

**5** Provision of \$6,668,000 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.

6 Provision of \$2,334,000 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

Sub- head (Code)	Item (Code)	Ambit	Approved commitment \$'000	Accumulated expenditure to 31.3.2015 \$'000	Revised estimated expenditure for 2015–16 %'000	Balance \$'000
Opera	ting Acc	count				
700		General non-recurrent				
	841	Work Incentive Transport Subsidy Scheme	4,805,000	1,071,161	358,950	3,374,889
	874	Special Employment Project for Vulnerable Youths	33,000	24,025	4,158	4,817
		Total	4,838,000	1,095,186	363,108	3,379,706