

勞工處年報
Labour Department
Annual Report

2004

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CHAPTER 1 HIGHLIGHTS OF THE YEAR 2004

1.1 With the advent of globalisation, Hong Kong is rising to the challenges brought about by economic restructuring. Despite continued improvement in the employment market, with the unemployment rate coming down from the record high of 8.6 per cent in mid-2003 to 6.5 per cent at the end of 2004, employment continues to be a subject of public concern. With a proactive and pragmatic approach and given united efforts, the Labour Department has achieved notable results in various programme areas.

Employment Services

Enhanced Employment Services

1.2 We continue to adopt a proactive, innovative, flexible and cost-effective approach in further strengthening our employment service to help the unemployed re-enter the labour market and meet the recruitment needs of employers. Ten large-scale job bazaars and 32 mini job fairs were held in the year to assist job-seekers in finding jobs and employers in recruiting staff. A record high of 86 257 placements were secured through the Labour Department in 2004. The number of vacancies solicited from the private and public sectors, at 302 961, also broke past records. The Interactive Employment Services (iES) website (<http://www.jobs.gov.hk>) recorded a historic high of 684 million page views in 2004 and continued to be the Government's most popular website.

Youth Self-employment Support Scheme (YSSS)

1.3 With a funding of \$30 million, the YSSS was launched on a trial basis in May 2004 to train and assist 1 500 young people aged 18 to 24 to become self-employed in areas with business prospects, such as information technology and multimedia applications, personal care and public performances. As at the end of December 2004, the trainees have conducted 1 420 business transactions with gross profits of about \$940,000 recorded.

Youth Work Experience and Training Scheme (YWETS)

- 1.4** YWETS was launched in July 2002 to provide on-the-job training of six to twelve months for young people aged between 15 and 24 with educational attainment below degree level. With the enthusiastic support of employers and social partners, the target to provide 10 000 training places for young people in two years was achieved in November 2003. Given this success, another \$300 million has been allocated to extend the scheme for another two years to place an additional 10 000 youths into jobs. As at the end of December 2004, 18 283 trainees were successfully placed in training vacancies under the scheme. In addition, 10 925 trainees were placed in other jobs in the open employment market with the advice and assistance of their case managers.



Ceremony to thank the social partners of YWETS.

Youth Pre-employment Training Programme (YPTP)

- 1.5** In 2004, the YPTP provided training to over 11 300 young persons aged between 15 and 19. Apart from those who decided to pursue further studies on completion of the programme, over 72 per cent of the trainees had secured employment. In December 2004, the Centre for Social Policy Studies of the Hong Kong Polytechnic University completed a comprehensive review of the programme. The review reaffirmed the positive role of the programme in enhancing the employability of young school leavers and supported the continuation of the programme.



Award presentation to "The Most Improved Trainees of YPTP".

Outstanding Disabled Employees Award and Enlightened Employers Award

- 1.6** These awards were to commend employees with disabilities for their outstanding performance at work and employers for their efforts in providing employment opportunities for people with disabilities. In 2004, twelve disabled employees and

ten employers won the awards.



Secretary for Economic Development and Labour Mr Stephen Ip Shu-kwan (seventh from left) with 12 winners of the "Outstanding Disabled Employees Award".

Labour Relations

Record Settlement Rate

- 1.7** Of the 270 labour disputes and 28 396 claims handled in the year, 67.3 per cent were resolved by our conciliation efforts, a record high since 1994. The waiting time for conciliation meetings was also shortened to 3.3 weeks, much lower than the pledged level of 5 weeks.

Stepping Up Enforcement Against Wage Offences

- 1.8** In 2004, the Labour Department continued to accord a high priority to combating wage offences. Territory-wide inspection campaigns targeted at offence-prone trades were launched. The Employment Claims Investigation Division continued to conduct in-depth investigation into suspected wage offences in order to take out speedy prosecution. The department also strengthened its educational and promotional efforts to remind employers of their statutory obligation to pay wages on time and to encourage employees to lodge claims promptly and come forward as prosecution witnesses. With rigorous enforcement efforts, a total of 504 convicted summonses on wage offences were secured in 2004, up 13.3 per cent when compared with 445 convicted summonses in 2003. The highest fine recorded in a case involving wage offences in 2004 was \$140,000, as compared with \$50,000 in 2003.

Good People Management Award

- 1.9** The Award was launched by the Labour Department to encourage and benchmark employers in achieving good people management. Nineteen enterprises were selected from a record high number of 374 competing entries and granted the Award at a ceremony officiated by the Financial Secretary.



Financial Secretary Mr Henry Tang Ying-yen (first row, sixth from left) pictured with winners of Good People Management Award.

Employee Rights and Benefits

Vigorous Enforcement against Illegal Employment

1.10 The Labour Department spared no effort in combating illegal employment. We widely publicised our 24-hour complaint hotline (2815 2200) to collect more intelligence and launched more targeted operations with the Police to apprehend illegal workers and their employers on the spot. In the year, 104 joint operations were mounted - 189 per cent over the corresponding figure in 2003. As a result, a record high of suspected illegal workers (760) and employers of these illegal workers (196) were detected. On the publicity front, we produced and distributed a new leaflet to households of large housing estates warning against the employment of illegal domestic helpers.



Labour inspectors detecting illegal workers in a joint operation with the Police.

Safeguarding the Rights of Employees of Government Service Contractors

1.11 In 2004, the Government implemented further measures to ensure that non-skilled employees of government service contractors received reasonable pay.

Starting from May 2004, contractors of service contracts relying heavily on the deployment of non-skilled employees were required to pay these employees at a rate not less than the average monthly wages for the relevant industry/occupation as published in the Census and Statistics Department's latest Quarterly Report of Wage and Payroll Statistics at the time when tenders were invited. In the year, the Labour Department also stepped up inspections to the workplaces of these employees to detect violations of labour laws. Irregularities detected during inspections and offence records of the contractors were passed to the relevant procuring departments promptly for administrative sanctions against offending contractors.

Voluntary Rehabilitation Programme (VRP) for Employees Injured at Work

1.12 In November 2004, we extended the pilot VRP for injured employees in the construction industry to the catering, transport and manufacturing industries so that more injured workers could be benefited. The VRP was launched in March 2003 on a pilot basis in the construction industry with the objective of providing timely rehabilitation services to injured workers for better and speedier recovery, and facilitating their safe and early return to work. The pilot programme has shown positive results in achieving its objectives and has facilitated the rehabilitation of 147 construction employees in its first year of implementation.

Protection of Wages on Insolvency Fund Recording a Surplus

1.13 As Hong Kong's economy further improved, the number of applications for the Protection of Wages on Insolvency Fund dropped from 22 350 in 2003 to 13 631 in 2004. The fund recorded an average monthly surplus of \$4.08 million in 2004 and registered an overall surplus of \$49 million by year-end, the first year that the fund recorded a surplus since the Asian financial crisis in 1997.

Safety and Health at Work

Legislative Improvements on Container Handling Safety and Safety Training

1.14 The Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations were amended to extend coverage to the container handling industry and enhance professionalism and training of safety officers. The amendments were brought into full operation in January 2004. To ensure that risks to workers' safety and health are properly managed, we brought into effect the Factories and Industrial Undertakings (Gas Welding and Flame Cutting) Regulation in March 2004. This requires any person performing gas welding and flame cutting work to hold a valid certificate obtained after completing a recognised training course.

Safety Award Schemes

1.15 Two safety award schemes were organised in the catering and construction industries to inculcate a safety culture and to enhance the safety awareness of

employers, employees and their families. The schemes featured a variety of activities, including open safety performance competitions, safety and health seminars, roving exhibitions, site visits, radio programmes, stickers, computer CD-ROM, broadcast of promotional films on "RoadShow" and award presentation ceremonies cum fun days.



Adjudicators of the Catering Industry Safety Award Scheme assessing the safety and health performance of a participating establishment.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung officiating at the Award Presentation Ceremony of the Construction Industry Safety Award Scheme.

Strengthening Local and International Partnerships

Labour Day Reception

1.16 On 1 May 2004, the Secretary for Economic Development for Labour hosted a cocktail reception at Government House to celebrate Labour Day and to pay tribute to the workforce. The reception was officiated by the Chief Executive, Mr Tung Chee Hwa, and attended by some 200 guests from trade unions, employer associations and other organisations.



Chief Executive Mr Tung Chee Hwa at Labour Day Reception.

Local Attachment Programme

1.17 In 2003, the department arranged short-term attachment programmes for its labour officers to some of the leading corporations in the private sector; including the MTR Corporation Limited, the Hong Kong & China Gas Company Limited and Ernst & Young Transactions Limited. In 2004, another attachment programme with the Hongkong and Shanghai Banking Corporation Limited was arranged for a labour officer. These programmes enabled the officers to understand at first hand the culture and business operation of private enterprises, particularly in the area of human resources and corporate management. They also facilitated mutual exchange of experience and strengthened the department's networking with the private sector.

Contacts with Other Labour Administrations

1.18 We maintain active liaison and interflow with other labour administrations through visits and participation in relevant activities. In April 2004, the Permanent Secretary for Economic Development and Labour (Labour) led a delegation to attend the China Employment Forum in Beijing and delivered a speech on the youth employment programmes run by the Labour Department. The Forum was organised by the Ministry of Labour and Social Security and the International Labour Organisation.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung meeting Premier Wen Jiabao at Zhongnanhai during his attendance in the China Employment Forum.

1.19 In June 2004, a tripartite team of government officials, employer and employee representatives of the Labour Advisory Board attended the 92nd Session of the International Labour Conference in Geneva to keep themselves abreast of the latest development of international labour standards. The occasion also strengthened their rapport with counterparts in other countries and regions, thereby facilitating future co-operation.



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CHAPTER 2 THE LABOUR DEPARTMENT

2.1 The Labour Department is the principal agency in the Hong Kong Special Administrative Region Government responsible for the execution and co-ordination of major labour administration functions. For details of our structure and services, please visit our website: <http://www.labour.gov.hk/>.

Vision, Mission and Values

2.2 Our Vision

To be a leading labour administrator in the region—our aim is to enhance the well-being of our workforce progressively and promote the safety and health of those at work.

2.3 Our Mission

- To improve the utilisation of human resources by providing a range of employment services to meet changes and needs in the labour market;
- To ensure that risks to people's safety and health at work are properly managed by legislation, education and promotion;
- To foster harmonious labour relations through promotion of good employment practices and resolution of labour disputes; and
- To improve and safeguard employees' rights and benefits in an equitable manner.

2.4 Our Values

We believe in:

- Professional excellence

- Pro-activeness
- Premier customer service
- Partnership
- Participation

Key Programme Areas

2.5 The department has four key areas of work, namely, Labour Relations, Safety and Health at Work, Employment Services, and Employee Rights and Benefits. The objectives of these areas are set out below:

Labour Relations

- To foster and maintain harmonious employer and employee relations in the non-government sector.

Safety and Health at Work

- To help employers and employees control their risks at work through legislation, education and promotion.

Employment Services

- To provide free employment assistance and counselling services to help job-seekers find suitable jobs and employers fill their vacancies.

Employee Rights and Benefits

- To improve and safeguard the rights and benefits of employees.

2.6 Detailed functions and major activities of these programme areas are contained in the following chapters.

Central Support Services

2.7 The Administration Division assumes the primary responsibility for financial, personnel and general resources management.

2.8 The Information and Public Relations Division is responsible for the department's overall strategy on publicity and public relations. It explains the policy and work of the department to the public through the extensive use of the media, and co-ordinates the production of major departmental publications.

- 2.9** The Development Division mainly oversees matters relating to the application of International Labour Conventions, participation in International Labour Organisation activities, and liaison with labour administration counterparts of the Mainland or other countries. Besides, the division manages the departmental reference library, compiles labour statistics, collects information pertaining to labour administration and co-ordinates training activities for staff of the Labour Administration Branch. In addition, the division serves as the secretariat of the Labour Advisory Board providing support services to the Board.
- 2.10** The Prosecutions Division and the Legal Services Division help enforce relevant legislation by instituting prosecutions against suspected offenders. Major statistics on prosecution work are at [Figure 2.1](#).
- 2.11** The Occupational Safety and Health Training Centre organises and co-ordinates training and development activities for staff of the Occupational Safety and Health Branch.



Labour Department's Directorate Officers and guest speakers at the Mid-year Seminar 2004-2005 of Occupational Safety and Health Branch.

- 2.12** The Information Technology Management Unit offers support and advice to the development and management of information technology (IT) services.
- 2.13** An organisation chart of the department is set out at [Figure 2.2](#).

Customer-oriented Services

- 2.14** Performance standards and targets are laid down for a wide range of services. A Customer Liaison Group has been formed to collect feedback from users of the department's pledged services. For details of our performance pledges, please visit the following webpage: <http://www.labour.gov.hk/eng/perform/content.htm>.



The Customer Liaison Group meets.

Advisory Boards and Committees

2.15 Various advisory boards and committees provide expert advice on labour matters and serve as useful forums for the department's consultation work. The most important one is the Labour Advisory Board (LAB) which is set up to advise the Permanent Secretary for Economic Development and Labour (Labour) on matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organisation. The terms of reference and composition of the LAB and its membership for 2003-2004 are in [Figure 2.3](#).

2.16 The two-year term of the LAB expired by the end of 2004. An election to return the employee representatives for the new term of the LAB was held on 13 November 2004. Nine candidates vied for five seats. Altogether, 334 registered employee unions took part in the voting. The five newly-elected employee representatives will serve the LAB from January 2005 to December 2006.



The Permanent Secretary for Economic Development and Labour (Labour), also the Chairman of the LAB, Mr Matthew Cheung Kin-chung (third from left), and newly-elected employee representatives of the LAB.

CHAPTER 3 LABOUR RELATIONS

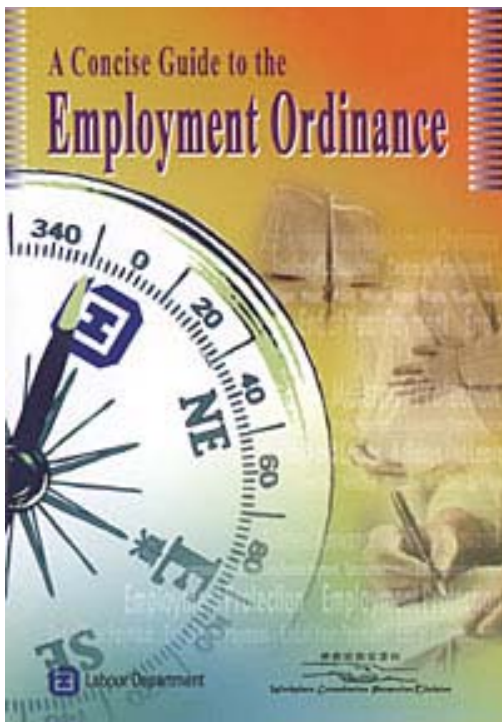
The Programme of Labour Relations

(<http://www.labour.gov.hk/eng/labour/content.htm>)

3.1 In Hong Kong, employer and employee relations are largely premised on the freely negotiated terms and conditions of employment entered into the two parties. Employers and employees in Hong Kong are free to form trade unions and participate in union activities. Trade unions are required to be registered under the Trade Unions Ordinance. The objective of the Labour Relations Programme is to maintain and promote harmonious labour relations in the non-government sector. We achieve this by:

- giving advice on matters relating to conditions of employment, provisions of the Employment Ordinance and good management practices;
- providing voluntary conciliation service to help employers and employees resolve their employment claims and disputes;
- promoting understanding of labour laws and encouraging good labour management practices;
- adjudicating minor employment claims speedily through the Minor Employment Claims Adjudication Board; and
- registering and regulating trade unions to bring about sound and responsible trade union administration.

3.2 The principal legislation administered by this programme area includes the Employment Ordinance (EO), the Labour Relations Ordinance, the Minor Employment Claims Adjudication Board Ordinance and the Trade Unions Ordinance (TUO).



A Concise Guide to the Employment Ordinance.

- 3.3** With the provision of a comprehensive set of employment standards, the EO is the main piece of legislation governing conditions of employment in the non-government sector. The procedures for settling labour disputes in the non-government sector are provided in the Labour Relations Ordinance. The Minor Employment Claims Adjudication Board Ordinance establishes a machinery known as the Minor Employment Claims Adjudication Board (MECAB) to adjudicate minor employment claims when settlement cannot be achieved by conciliation. For the regulation of trade unions, the TUO provides a statutory framework for trade union registration and administration.

Our Work and Achievements in 2004

Key Indicators of Work

- 3.4** Some key indicators of work of the Labour Relations Programme Area are contained in [Figure 3.1](#).

Conciliation and Consultation Services

- 3.5** Our consultation and conciliation services have contributed to the maintenance of industrial peace. In 2004, we handled 112 997 in-person consultations, 270 labour disputes and 28 396 claims. The number of labour disputes and claims handled in 2004 was 16 per cent down on the figure of 34 116 cases in 2003. It was the lowest since 1998. Altogether 67.3 per cent of the cases handled in 2004 were resolved amicably through conciliation, the highest settlement rate since 1994. Only two strikes were recorded in 2004. As a result, the number of working days lost per 1 000 salaried employees and wage earners was 0.11, which is among the lowest in the world. ([Figures 3.2-3.7](#))



Conciliation meeting.



Consultation services on the Employment Ordinance or employment contracts.

Strengthening Tripartite Cooperation

3.6 To promote tripartite collaboration at the industry level with a view to fostering harmonious labour relations, nine industry-based tripartite committees have been set up in the catering, construction, theatre, logistics, property management, printing, hotel and tourism, cement and concrete as well as retail industries. These tripartite committees provide useful forums for representatives of employers, employees and the Government to discuss issues of common concern in these industries. In 2004, we worked closely with the nine industry-based tripartite committees to promote the adoption of good human resources management practices among the respective industries. To this end, we have prepared guidebooks highlighting good human resources management practices and labour laws of special interest to the respective industries. In September, a large-scale seminar was organised to promote partnership between employers and employees and good customer services in the catering, retail and hotel and tourism industries.



The Permanent Secretary for Economic Development and Labour (Labour), Mr Matthew Cheung Kin-chung, speaking at a large-scale seminar organised for the catering, retail and hotel and tourism industries.

Promotion of Good Employer-Employee Relations

- 3.7** To promote better public understanding of the EO and good labour management practices, various promotional activities such as briefings and talks were organised for employers, employees and human resource professionals. We also produced a reference kit to enhance public understanding of the major provisions of the EO in an interesting manner. A specially designed folder was produced to facilitate easy keeping of a comprehensive set of employment-related records among employees to enhance protection of their interests under labour laws.
- 3.8** Publicity information was disseminated through the mass media. We published articles of cases on the EO in the printed media and launched a new Announcement of Public Interest on television to further promote partnership between employers and employees.

Adjudication of Minor Employment Claims

- 3.9** The Minor Employment Claims Adjudication Board provides a speedy, informal and inexpensive adjudication service to members of the public. It is empowered to determine employment claims involving not more than 10 claimants for a sum not exceeding \$8,000 per claimant.
- 3.10** In 2004, the board recorded 2 507 claims amounting to \$10,426,804 and concluded 2 594 claims with a total award of \$5,943,631.

Regulation of Trade Unions

- 3.11** The Registry of Trade Unions promotes sound and responsible trade union administration, and is entrusted with the statutory duty to register trade unions, process and register their rules, and examine their annual audited statements of account to ensure that trade unions comply with the TUO.
- 3.12** As at the end of the year, there were 659 employee unions. In 2004, 21 new

trade unions were registered while six trade unions were deregistered, making up a cumulative total of three registered trade union federations and 704 registered trade unions (comprising 659 employee unions, 23 employer unions and 22 mixed organisations of employees and employers). Please refer to the following webpage for the key trade union statistics:

<http://www.labour.gov.hk/eng/labour/content3.htm>.

3.13 In the year, the Registry of Trade Unions examined 601 statements of account and conducted 366 inspection visits to trade unions to ensure that their administration and financial management were in compliance with the TUO. To facilitate trade union officers in acquiring knowledge of union law and management, the Registry organised six courses on trade union bookkeeping, auditing and provisions of the TUO.

CHAPTER 4 SAFETY AND HEALTH AT WORK

The Programme of Safety and Health at Work

(<http://www.labour.gov.hk/eng/osh/content.htm>)

4.1 The Occupational Safety and Health Branch is responsible for the promotion and regulation of safety and health at work. The objective of the Programme of Safety and Health at Work is to ensure that risks to people's safety and health at work are properly managed and reduced to the minimum by legislation, education and promotion. More specifically, we achieve the objective by:

- providing a legislative framework to safeguard safety and health at work;
- ensuring compliance with the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO), the Boilers and Pressure Vessels Ordinance (BPVO) and their subsidiary regulations by conducting inspections and taking out regulatory actions;
- investigating accidents and occupational health problems at workplaces;
- improving the knowledge and understanding of employers, employees and the general public on occupational safety and health by providing them with appropriate information and advice; and
- organising promotional programmes and training courses to improve safety awareness of the workforce.

4.2 The principal legislation for safety and health at work includes the OSHO, the FIUO, and the BPVO.

4.3 With few exceptions, the OSHO protects employees' safety and health at work in practically all branches of economic activities. It is basically an enabling legislation that empowers the Commissioner for Labour to make regulations prescribing standards for general working environment as well as specific safety and health aspects at work.

- 4.4** The FIUO regulates safety and health at work in industrial undertakings, which include factories, construction sites, cargo and container handling areas, as well as catering establishments.
- 4.5** The BPVO aims at regulating the standards and operation of equipment such as boilers, pressure vessels, including thermal oil heaters, steam receivers, steam containers, air receivers and pressurised cement tanks mounted on trucks or trailers.

Our Work and Achievements in 2004

Safety Performance

- 4.6** Through the concerted efforts of all parties concerned, including employers, employees, contractors, safety practitioners and the Government, Hong Kong's work safety performance has been improving since 1998, with the number of occupational accidents and the accident rate per thousand workers falling steadily.
- 4.7** This pattern, however, changed somewhat in 2004. The overall number and rate of work accidents rose slightly as compared to 2003. The increase was largely attributed to the rebound of the local economy in the period that generated more economic and business activities as compared with the severe economic downturn brought about by the outbreak of Severe Acute Respiratory Syndrome (SARS) in early 2003. As a result, the year of 2003 provided a significantly lower base for comparison. Nonetheless, comparing the figures of 2004 to those of 2002, which was a normal year, there was sustained improvement in the overall performance. It is particularly noteworthy that despite a slight increase in occupational injuries in 2004, the safety performance of the construction industry continued to make noticeable improvements.
- 4.8** The number of occupational injuries in all workplaces in 2004 stood at 44 025, an increase of 4.8 per cent over 2003, while the injury rate per 1 000 employees increased slightly from 17.7 to 18.1, up by 2.6 per cent. However, compared to 2002, the number of occupational injuries fell by 6.4 per cent and the injury rate dropped by 5.7 per cent.
- 4.9** The safety performance of the high-risk construction industry continued to improve. However, it still had the highest number of fatalities and accident rate. The number of industrial accidents in the construction industry decreased from 4 367 in 2003 to 3 833 in 2004, down by 12.2 per cent. The accident rate per 1 000 workers dropped from 68.1 in 2003 to 60.3 in 2004, down by 11.4 per cent. Compared to 2002, the number of accidents showed a hefty drop of 38.6

per cent whilst the injury rate went down by 29.2 per cent.

4.10 For more statistics on occupational safety and health, please visit the following webpage: <http://www.labour.gov.hk/eng/osh/content10.htm>.

Key Indicators of Work

4.11 Some key indicators of work of this programme area are shown in [Figure 4.1](#).

Legislative Improvements

4.12 In January 2004, the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulation was extended to the container handling industry and the minimum qualification and working experience required for registration as a safety officer were raised. In March 2004, the Factories and Industrial Undertakings (Gas Welding and Flame Cutting) Regulation has also come into full operation. Any person who performs gas welding and flame cutting work must hold a valid certificate after completing a recognised training course.

Law Enforcement

4.13 To secure safety and health at work, we inspect workplaces, monitor health hazards, investigate work accidents and occupational diseases, register and inspect boilers and pressure equipment and advise on measures to control hazards or prevent recurrences.

4.14 A key element in enforcement is to advise on prevention of accidents. We conducted special promotional visits to encourage employers to adopt a self-regulatory approach in managing risks at the workplace. A number of special blitz operations were also organised on safety of working-at-height, scaffold, lift and escalator, container handling and storage, gas welding and flame cutting, fire and chemical, and plant and machinery. The operations on safety of working-at-height and scaffold focused on the external renovation work of buildings. These operations were also carried out after normal office hours and on holidays to monitor the safety performance of building renovation works. Through these operations, renovation contractors were urged to take adequate safety precautions to ensure work safety of their workers.

4.15 We continued to target at establishments with poor safety performance for close surveillance. Improvement notices or suspension notices were issued when necessary to secure a speedy rectification of irregularities, or to remove imminent risk to lives and limbs. Many of these companies, especially those in the construction industry, have shown significant improvements in their safety performance. In the light of the SARS epidemic in 2003, we enhanced the inspection of high-risk workplaces including hospitals, clinics and elderly homes to ensure adequate provision of personal protective equipment and proper

training in the use of the equipment.

4.16 The Commissioner for Labour, as the Boilers and Pressure Vessels Authority, recognises competent inspection bodies to assess and inspect new pressure equipment during manufacturing. As at the end of 2004, there were 31 appointed examiners and seven recognised inspection bodies. We also conduct examinations, monitor courses for training of competent persons and issue certificates of competency to qualified candidates as competent persons for various types of boilers and steam receivers. In 2004, 414 candidates were examined, of whom 368 were awarded certificates of competency. We also advise the Fire Services Department on approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.



Inspecting a water-tube boiler superheater safety valve.

4.17 As at 31 December 2004, a total of 158 547 workplaces, including 14 375 construction sites, were recorded. In the year, 118 861 inspections were conducted under the OSHO and the FIUO, while 5 744 inspections were made under the BPVO. As a result, 34 053 warnings were issued by Occupational Safety Officers while 3 816 warnings were given under the BPVO. Altogether, 1 555 suspension or improvement notices were issued. We also carried out 12 342 and 2 435 investigations on accidents and suspected occupational diseases respectively in the year. Among the suspected occupational diseases, 251 cases were confirmed.

Safety Training and Occupational Health Education

4.18 We provide training-related services to help industry reduce occupational injuries. Such services are divided into three broad categories, namely provision of training courses, accreditation of external training providers and registration of safety officers and safety auditors.

4.19 In 2004, we conducted 533 training courses on safety legislation for 4 530 participants and 305 tailor-made safety briefing sessions for 8 832 employees. We also accredited 18 mandatory basic safety training courses for the

construction and container-handling industries. As at the end of 2004, more than 699 000 persons have completed the training. We also accredited 13 confined spaces safety training courses, nine loadshifting machinery safety training courses and four gas welding and flame cutting safety training courses.

4.20 In 2004, 157 applicants were registered as safety officers while 84 applicants were registered as safety auditors. As at the end of 2004, there were 2 677 persons on the register of safety officers and 706 persons on the register of safety auditors.

4.21 Occupational health education is an important strategy for the control of occupational health hazards and prevention of occupational diseases. Apart from the conventional way of organising health talks at our own premises, we have also developed outreaching services for occupational health education by delivering talks at the venues of individual companies or organisations. In 2004, we delivered a total of 1 746 health talks.

Safety Promotion

4.22 To inculcate a safety culture and to enhance safety awareness, we organised a series of promotional activities in 2004, some in conjunction with other organisations such as the Occupational Safety and Health Council, trade associations, workers' unions and other government departments.

4.23 Under the Customer Service Teams Project, volunteers visited over 15 000 small and medium-sized enterprises to introduce the OSHO and promote the safety management concept to employers and employees.



Volunteers introducing occupational safety and health information to small and medium-sized enterprises.

4.24 The well-received Catering Industry Safety Award Scheme and the Construction Industry Safety Award Scheme were organised again in the year. Campaigns were also launched to promote and publicise the Factories and Industrial Undertakings (Gas Welding & Flame Cutting) Regulation, the safety of working in confined spaces, and the safety in renovation and maintenance of buildings.



Promotion of work safety on bus body.

4.25 The Occupational Safety Charter was jointly launched with the Occupational Safety and Health Council in 1996 to promote the spirit of "shared responsibility" in workplace safety and health, as well as setting out a safety management framework for employers and employees to work together to create a safe and healthy working environment. By the end of 2004, 768 organisations, including public utilities companies, industrial and non-industrial establishments, banks, construction companies, unions and associations, had subscribed to the Occupational Safety Charter.



The Hongkong and Shanghai Banking Corporation Limited subscribing to the Occupational Safety Charter.

4.26 In 2004, 29 new occupational safety and health publications were published, including a code of practice for the safe use of mobile cranes, casebooks on occupational diseases and fatalities, and fatal accidents in lift installation, maintenance and repairing works; guidance notes on the inspection, thorough examination and testing of suspended working platforms, and safety at work for maintenance of low voltage electrical switchgears; other safety guides on safety at work in inclement weather, interlocking of steel sheet piles, interlocking device on hoistway gates for safe use of material hoists, and noise control in entertainment industry; and posters on safety at work in renovation and maintenance of buildings.



Codes of practice on safe use of mobile cranes.



Work safety guidance on suspended working platforms and low voltage electrical switchgears.



Occupational disease casebooks and occupational fatalities casebooks.



Other guides on occupational safety.

4.27 In 2004, we handled 20 681 enquiries, advising on various occupational safety and health matters. One-stop information and advisory services are provided to workers and employers at the Occupational Safety and Health Centre.

Medical and Clinical Services

4.28 Our medical and nursing staff at the Occupational Health Clinic provides clinical consultations, medical treatment as well as occupational health education and counselling services for workers suffering from work-related diseases. The workplaces of the patients are inspected if necessary to identify and evaluate occupational health hazards in the work environment. We also assess the medical fitness for work of radiation workers, aviation personnel and government employees exposed to specific occupational health hazards.



Medical assessment.

4.29 In 2004, 8 126 clinical consultations were rendered, and 2 682 medical examinations and assessments performed. Five patient support groups were organised to promote patients' treatment compliance and sustainability in good work practices through health talks, experience sharing and peer support.

CHAPTER 5 EMPLOYMENT SERVICES

The Programme of Employment Services

(<http://www.labour.gov.hk/eng/service/content.htm>)

5.1 Unemployment remains the foremost concern of the Labour Department in 2004. To complement the job creation efforts of the Government, we give every assistance to local job-seekers, particularly the more vulnerable groups. The objective of the Employment Services Programme is to provide a comprehensive range of free and efficient employment assistance and counselling services to help job-seekers find suitable jobs and employers fill their vacancies. We achieve this by:

- providing user-friendly employment services to employers and job-seekers;
- offering intensive employment-related assistance and personal service to vulnerable groups of unemployed people;
- assisting young people to enhance their employability and advising them on careers choice;
- regulating local employment agencies;
- safeguarding the interests of local employees employed by employers outside Hong Kong to work in other territories; and
- ensuring that employment opportunities for local workers are not adversely affected by abuse of the labour importation scheme.

5.2 The two principal legislation administered by this programme area are the Employment Agency Regulations made under the Employment Ordinance and the Contracts for Employment Outside Hong Kong Ordinance.

5.3 The Employment Agency Regulations, together with the Part XII of the Employment Ordinance, regulate the operation of employment agencies in Hong Kong through a licensing system, inspection, investigation and prosecution.

- 5.4** The Contracts for Employment Outside Hong Kong Ordinance safeguards the interests of local manual workers and those non-manual employees with monthly wages not exceeding \$20,000 who are recruited by employers outside Hong Kong to work in other territories through the attestation of employment contracts for these jobs.

Our Work and Achievements in 2004

Employment Situation in Hong Kong

- 5.5** The labour market remained generally buoyant in 2004. The department received an all-time high of 297 186 vacancies from the private sector, a hefty increase of 38 per cent when compared with 215 430 in 2003. For data on labour force, unemployment rate and underemployment rate, please visit the following webpage:

http://www.info.gov.hk/censtatd/eng/hkstat/fas/labour/ghs/labour1_index.html.

Key Indicators of Work

- 5.6** In face of persistently high unemployment, the department vigorously stepped up its employment services for job-seekers. A record-high figure of 86 257 placements was achieved for 2004, up 31 per cent over the level of 66 100 in 2003. (Figures 5.1 and 5.2)

A Wider Service Choice

Services offered at Job Centres

- 5.7** Job-seekers can select suitable vacancies and seek referral service at all job centres. Modern facilities such as digital display system, self-service touch-screen vacancy search terminals, fax machines, toll-free telephones, computers connected to the Internet and a careers information corner are available.



User-friendly facilities for job-seekers at all job centres.



Secretary for Economic Development and Labour Mr Stephen Ip Shu-kwan trying out the facilities at a job centre.

- 5.8** Through the Job Matching Programme, placement officers help job-seekers evaluate their academic qualifications, job skills, work experience and job preferences, and encourage them to look for suitable jobs actively. Placement officers also introduce suitable retraining courses to job-seekers where appropriate.



A placement officer providing employment counselling services to a job-seeker under the Job Matching Programme.

Telephone Employment Service

- 5.9** Registered job-seekers may call our Telephone Employment Service Centre at 2969 0888 for job referral service. Through conference calls, staff of the Centre can make arrangement for job-seekers to talk to employers directly.

Internet Employment Service

- 5.10** Our Interactive Employment Service (iES) website (<http://www.jobs.gov.hk>) provides round-the-clock Internet employment service and comprehensive employment information. The iES is one of the most popular government websites in Hong Kong, accounting for about one-third of the page views for all government websites. In 2004, the iES achieved a record number of 684 million page views, an increase of 10 per cent over 2003. It hyperlinks with leading employment websites in Hong Kong and hosts a number of dedicated webpages for specific clientele groups.



The highly popular Interactive Employment Service website.

Central Processing of Job Vacancies

5.11 Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or telephone (2503 3377) or through the Internet (<http://www.jobs.gov.hk>). Vacancy information will be posted at all job centres and uploaded onto the iES through computer network in one working day.

Special Recruitment Functions and Promotional Activities

5.12 We organise a variety of activities to promote our employment services. Visits and briefings are conducted to appeal for vacancies from employers. Recruitment seminars and job fairs are held to facilitate job-seekers and employers to meet and communicate directly. In 2004, these special recruitment and promotional activities included territory-wide large-scale job fairs as well as thematic functions such as "Recruitment Forum for Property Management" and "Recruitment Forum for Retail Industry". These activities reached out to over 95 000 job-seekers and employers. To respond more promptly to the recruitment needs of employers and provide a more user-friendly service to job-seekers, we also held job fairs at our major job centres to assist employers to recruit staff and to enable job-seekers to participate in job interviews on the spot.



Large-scale recruitment activities provide opportunities for job-seekers and employers to meet and communicate directly.

Intensified Services for the Most Needy

Middle-aged Job-seekers

5.13 The Re-employment Training Programme for the Middle-aged was launched in May 2003 to provide intensive employment service to job-seekers aged 40 or above who had been unemployed for three months. Employers who engage a participant of the programme in full-time permanent posts and offer him on-the-job training will receive a training allowance of \$1,500 per month, for up to three months. As at the end of 2004, 8 606 placements were achieved through the programme.

Local Domestic Helpers (LDHs)

5.14 To address the mismatch in supply and demand in the LDH market and to promote LDH service, the Special Incentive Allowance Scheme was launched in June 2003. A sum of \$60 million was earmarked to provide incentive allowance to qualified LDHs who are willing to work across districts or during unsocial hours (i.e. 5 pm to 9 am). It is estimated that some 8 000 LDHs will benefit from the scheme. Successful applicants will receive an allowance of \$50 per day, with an overall cap of \$7,200. As at end-2004, there were some 3 700 approved applications. In 2004, we continued to publicise our dedicated employment services for LDHs through the website of the iES, roving exhibitions, job fairs and many other promotional efforts.

New Arrivals

5.15 We provide through our job centres a comprehensive range of employment services to new arrivals. These include employment counselling, job referral, employment briefing and employment information.

Workers affected by Large-scale Retrenchment

5.16 In the event of major retrenchment, we will assign special counters at the job centres or will render on-the-spot employment services to workers affected. In 2004, the service reached out to 1 038 retrenched workers of 12 companies.

University Graduates of 2003

5.17 The Graduate Employment Training Scheme was launched on 1 August 2003 in conjunction with seven local universities to place fresh graduates into training posts under the scheme. Employers providing on-the-job training for these graduates received a training subsidy of \$2,000 for six months. The scheme was completed in June 2004 and more than 1 300 graduates had been placed under the scheme.

Job-seekers with a Disability

5.18 The Selective Placement Division (SPD) offers employment assistance to disabled job-seekers seeking open employment. Placement officers will provide personalised counselling, employment services and where appropriate, make

referrals to tailor-made retraining programmes. In 2004, SPD registered 4 002 disabled job-seekers and helped place 2 391 of them into employment. The placement rate was 60 per cent. (Figure 5.3)



A Placement Officer of SPD accompanying her client to attend a job interview.

Trial Placement-cum-Mentor Scheme

5.19 The Trial Placement-cum-Mentor Scheme for People with a Disability was launched in January 2002. It aims at motivating employers to recognise the working abilities of people with a disability through a one-month trial placement, thereby enhancing the employment opportunities of people with a disability. Participating employers will receive a subsidy equal to half of the wages paid in the one-month trial period, subject to a ceiling of \$3,000. A mentorship element has been included in the scheme to help the disabled workers on trial to settle in the jobs more easily. The response from employers has been encouraging. By the end of 2004, there were 411 employers offering 837 job vacancies. About 84 per cent of the 754 disabled persons participating in the scheme were offered full-time employment by their employers after the trial period.

Self Help Integrated Placement Service

5.20 The Self Help Integrated Placement Service (SHIPS) aims at improving the job-searching skills of disabled job-seekers and encouraging them to be more proactive in the search for jobs, thereby enhancing their employment opportunities. In 2004, 641 disabled job-seekers participated in the programme. The overall placement rate was about 71 per cent.

Interactive Selective Placement Service (iSPS) Website

5.21 The Selective Placement Division (SPD) launched an Interactive Selective Placement Service (iSPS) Website (<http://www.jobs.gov.hk/isps>) in January 2003 to provide enhanced employment services for disabled job-seekers and employers through the Internet. The website enables disabled persons to register or renew their registrations with SPD, browse job vacancy information and perform preliminary job-matching. It also enables employers to place vacancy orders with SPD, identify suitable disabled job-seekers to fill their vacancies and

request SPD to refer candidates to them for selection interview. Response to the iSPS has been very favourable. In 2004, it recorded a total of 2 952 955 page views and 9 437 online requests for SPD's services.

Promotional Activities

5.22 During the year, SPD organised the Outstanding Disabled Employees Award and Enlightened Employers Award Presentation Ceremony 2004 and produced a series of radio programmes to enhance public understanding of the working abilities of people with disabilities. We also held seminars for employers and conducted special promotional campaigns on targeted trades to canvass job vacancies.



Secretary for Economic Development and Labour Mr Stephen Ip Shu-kwan (fifth from left) pictured with 9 winners of the "Enlightened Employers Award 2004".

Services for Young People

Youth Work Experience and Training Scheme (YWETS)

5.23 The YWETS features 50 hours of guidance and counselling services to trainees by case managers who are registered social workers; 40 hours of induction training on communication and interpersonal skills for trainees; a training subsidy payable to employers at the rate of \$2,000 per trainee per month during the period of on-the-job training; and a training allowance of \$4,000 payable to trainees who undertake vocational training courses on an off-the-job basis.

5.24 The 2004-05 programme year of YWETS focuses on the development of special tailor-made projects for industries and individual establishments. Since August 2004, a wide range of tailor-made special employment projects providing some 1 000 training vacancies have been launched to enhance trainees' vocational skills and to cater for sustainable career development. These projects enable trainees to gain work experience in various industries like aviation, tourism, information technology, education and social services, film and entertainment. With support from non-government organisations participating in the YWETS, the "Action S4" project which caters specifically for the needs of the more vulnerable trainees has also been re-launched with new features added.



"Action S4" Thanksgiving Day.

- 5.25** The YWETS aimed to provide 10 000 training places for young people by July 2004. This was achieved in November 2003, eight months ahead of schedule. Given this success, the Administration has extended YWETS for another two years to place an additional 10 000 youths into jobs. As at the end of 2004, 18 283 trainees were successfully placed in training vacancies under the scheme. In addition, 10 925 trainees were placed in other jobs in the open employment market with the advice and assistance of their case managers.
- 5.26** Feedback from trainees, employers and case managers on the YWETS is highly favourable. Independent consultants from the Centre for Social Policy Studies of the Hong Kong Polytechnic University also confirmed the effectiveness of the scheme in enhancing the employability of young people in a mid-term review conducted in 2003.

Youth Pre-employment Training Programme (YPTP)

- 5.27** In 2004, we continued with the YPTP and provided a wide range of employment-related training and workplace attachment opportunities. Government departments, training bodies and voluntary agencies join hands to provide the following four modular training: (a) leadership, discipline and team building; (b) job-search and interpersonal skills; (c) elementary/ intermediate computer application; and (d) job-specific skills training. Organisations from the private and public sectors as well as social welfare agencies offer workplace attachment places for trainees so they can obtain practical work experience and better understand the real work environment. Professional youth workers are available to provide career counselling and support services throughout the programme. In the new phase of the programme, a number of training courses geared to market needs have been added. Workplace English or Putonghua has been included in the training to enhance trainees' language ability.



YPTP trainees participating in leadership, discipline and team building training.



YPTP trainee acquires work experience in catering industry through workplace attachment.

Youth Self-employment Support Scheme (YSSS)

5.28 A total of 36 projects providing about 1 500 training places are implemented under the YSSS. Young people joining the YSSS are provided with training and a full range of support services for one full year by the commissioned non-government organisations. The objective of the YSSS is to promote self-employment, and the trainees are not required to fund their own business during the training and service period.

5.29 At the close of the application period on 31 October 2004, about 5 200 applications were received with some 1 500 applicants accepted for participating in the YSSS. To promote the YSSS and help trainees canvass business opportunities, a Flea Market was staged on 20 November 2004. As at the end of 2004, the trainees have conducted 1 420 business transactions with gross profits of about \$940,000 recorded.



Large-scale flea market organised by the Labour Department to canvass business opportunities for trainees of the Youth Self-employment Support Scheme.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (sixth from right), accompanied by trainees of the Youth Self-employment Support Scheme, attends the opening ceremony of the flea market.

Careers Information and Guidance

5.30 Our Careers Advisory Service promotes careers education and helps young people choose a career best suited to their talents, interest and abilities. We provide up-to-date information on employment and training opportunities as well as careers counselling and guidance service through our careers information centre. In addition, people can visit our website (<http://www.labour.gov.hk/careers>) to have quick access to a wide range of careers information.



Staff of the Careers Advisory Service counselling students.

5.31 To enhance careers awareness among young people and provide them with first-

hand careers information, we organise a variety of careers activities throughout the year. In February 2004, we jointly organised the Education and Careers Expo with the Hong Kong Trade Development Council for the 14th time to provide the latest information on careers development and further education opportunities. There were 375 participating exhibitors from a wide range of trades, government departments and professional bodies, as well as local and overseas educational and training institutes. The event attracted 186 381 visitors and proved to be the most popular careers information event in Hong Kong.



The Labour Department provides careers information through the Education & Careers Expo 2004.

- 5.32** We organised a special service package for Form 5 school leavers in July and August to provide them with a full range of counselling and information on careers and further education opportunities. Hotline and chat room service were set up for students and their parents. An Information Expo held in collaboration with the Education and Manpower Bureau attracted over 14 000 visitors. More than 90 000 copies of the tailor-made careers handbook were distributed.
- 5.33** A total of 41 719 participants took part in an Online Careers Quiz organised by the department for secondary students in November and December.
- 5.34** Two part-time certificate courses were organised for in-service careers masters in the 2004/2005 school year in collaboration with the Education and Manpower Bureau.

Regulating Local Employment Agencies and Employment Outside Hong Kong

- 5.35** We monitor the operation of employment agencies through licensing, inspection and investigation of complaints. In 2004, 1 501 employment agency licences were issued. Eight licences were revoked and two applications for issue of licence refused. A total of 1 376 enforcement inspections were made to employment agencies. At the end of 2004, there were 1 435 licensed employment agencies in Hong Kong.
- 5.36** We regulate employment outside the territory to safeguard the interests of local

employees engaged by employers outside Hong Kong to work in other territories by attesting all employment contracts entered in Hong Kong involving manual employees and non-manual employees with monthly wages not exceeding \$20,000.

Regulating Labour Importation

Supplementary Labour Scheme

5.37 To cater for the genuine needs of employers, the department administers the Supplementary Labour Scheme that allows the entry of imported workers to take up jobs at technician level or below and which cannot be filled locally. The scheme operates on the principles of ensuring the priority of local workers in employment while allowing employers with proven local recruitment difficulties to import labour to fill the necessary job vacancies. As at the end of 2004, 891 workers were imported under the scheme in Hong Kong.

5.38 We provide active job matching and referral services to local job-seekers to ensure their employment priority. Vacancies under the scheme are widely publicised locally. To facilitate local workers in filling the vacancies, they could attend tailor-made retraining courses, if appropriate. Applications from employers who have set restrictive or unreasonable requirements in terms of age, education, sex, skill or experience for the vacancies or who have no genuine intention to employ local workers will be rejected.

Policy on Foreign Domestic Helpers (FDHs)

5.39 FDHs have been admitted to work in Hong Kong since 1970's. FDHs (and other migrant workers) enjoy the same statutory rights and benefits as local employees. The Government attaches great importance to protecting the welfare of FDHs, and has taken every step to safeguard their statutory and contractual rights. The rights and benefits of FDHs are widely publicised. Claims of breach of statutory rights will be promptly investigated and prosecution action will be taken if there is sufficient evidence.

5.40 As at the end of 2004, there were 218 430 FDHs in Hong Kong, an increase of 0.7 per cent compared with 216 863 in 2003. About 54.8 per cent of the FDHs in Hong Kong were from the Philippines and 41.2 per cent from Indonesia.

CHAPTER 6 EMPLOYEE RIGHTS AND BENEFITS

The Programme of Employee Rights and Benefits

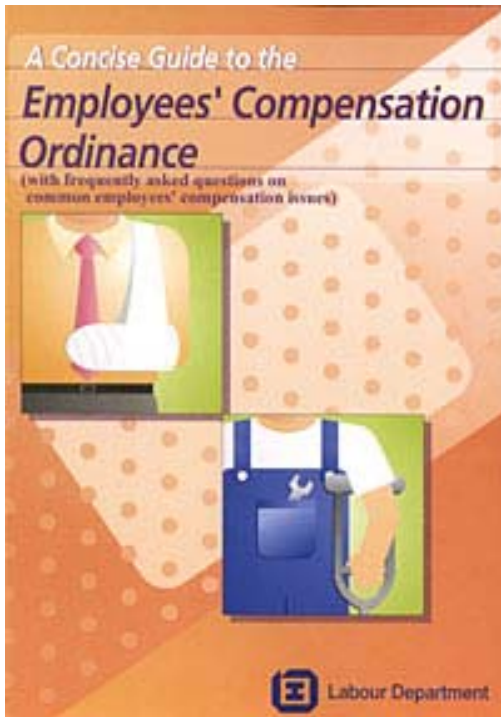
(<http://www.labour.gov.hk/eng/erb/content.htm>)

6.1 The objective of the Employee Rights and Benefits Programme is to improve and safeguard employee rights and benefits in an equitable manner. Our aim is to progressively enhance employment standards in a way which is commensurate with the pace of Hong Kong's economic and social developments and to strike a reasonable balance between the interests of employers and employees. We achieve this by:

- setting and refining employment standards in consultation with the Labour Advisory Board (LAB), the most established consultative forum on labour matters;
- ensuring compliance with statutory and contractual terms and conditions of employment through inspection to workplaces and investigation into suspected breaches of the statutory provisions and prosecution of offenders;
- processing employee compensation claims;
- maintaining close partnership with statutory bodies set up for protecting the rights and benefits of employees; and
- providing customer-oriented information service to ensure that employees and employers know their rights and obligations.

6.2 The principal legislation administered by this programme area includes the Employees' Compensation Ordinance (ECO), the Pneumoconiosis (Compensation) Ordinance (PCO), the Employment Ordinance (EO) and its subsidiary Employment of Children Regulations and Employment of Young Persons (Industry) Regulations, as well as Part IVB of the Immigration Ordinance.

- 6.3** The ECO establishes a no-fault, non-contributory employee compensation system under which individual employers are liable to pay compensation for work-related injuries or fatalities. The ordinance requires all employers to possess valid insurance policies to cover their liabilities under the ordinance and at common law.



A Concise Guide to the Employees' Compensation Ordinance.

- 6.4** The PCO provides compensation to persons who suffer from pneumoconiosis. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5** The EO is the main piece of legislation governing conditions of employment in the non-government sector. The Employment of Children Regulations made under the EO prohibit the employment of children below the age of 15 in industrial undertakings and regulate the employment of children aged 13 but under 15 in non-industrial establishments. The Employment of Young Persons (Industry) Regulations set out requirements on the working time arrangements for young persons employed in the industrial sector and prohibit their employment in dangerous trades.
- 6.6** The Labour Department also administers Part IVB of the Immigration Ordinance to combat illegal employment in order to protect the employment opportunities of local workers.

Our Work and Achievements in 2004

Key Indicators of Work

- 6.7** We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2004. Some key indicators of work of this

programme area are shown in [Figure 6.1](#).

Stepping Up Enforcement Against Wage Offences

6.8 The department takes a serious view on late payment and underpayment of wages and has put in place effective arrangements to enforce statutory provisions governing payment of wages. We conducted territory-wide blitz operations and inspections to workplaces to detect wage offences. Labour inspectors actively interviewed employees during territory-wide routine inspections to combat wage offences, and the Employment Claims Investigation Division conducted in-depth investigation into suspected wage offences under the Employment Ordinance promptly. Prosecutions are taken out against the employers once sufficient evidence is available.



A labour inspector explaining to an employee her statutory rights and benefits.

6.9 With the department stepping up enforcement action in 2004, the number of summonses heard in respect of wage offences rose to 697, representing an increase of 18.5 per cent over the figure of 588 summonses in 2003. As for summonses convicted, the number was 504 for 2004 as against 445 in 2003, an increase of 13.3 per cent. The highest fine recorded in a case in 2004 was \$140,000, as compared with \$50,000 in 2003.

Legislative Proposals to Protect and Improve Employee Benefits

6.10 During the year, we continued with the drafting of the legislation for implementing the proposal to recognise Chinese medicine under the Employment Ordinance, Employees' Compensation Ordinance, Pneumoconiosis (Compensation) Ordinance and the Pneumoconiosis Ex Gratia Scheme.

Vigorous Enforcement Against Illegal Employment

6.11 We have stepped up our enforcement efforts to ensure that the statutory rights of employees under labour legislation are well protected.

6.12 In 2004, labour inspectors carried out 131 727 workplace inspections to different economic sectors, among which 129 713 inspections also covered illegal

employment. (Figure 6.2) We strengthened the collection and analysis of intelligence on illegal employment activities, and organised more joint operations with the Police and the Immigration Department to apprehend illegal workers and their employers on the spot. We also publicised our complaint telephone hotline (2815 2200) to facilitate members of the public to provide intelligence on illegal employment activities. The new enforcement mode led to more effective results. A record high of 760 suspected illegal workers and 196 employers employing illegal workers were detected in the year, representing an increase of 55 per cent and 128 per cent respectively over the corresponding figures in 2003.



A labour inspector and policemen questioning the person-in-charge of a workplace where suspected illegal workers were detected.

- 6.13** We conducted routine inspections and trade-targeted operations to enforce the compulsory requirement of taking out employee compensation insurance policy under the Employees' Compensation Ordinance. In the year, a total of 61 111 establishments of various economic sectors were inspected. Employers failing to comply with the statutory requirement were prosecuted.
- 6.14** In the year, we continued to work closely with government departments in monitoring their service contractors to ensure that non-skilled employees of the contractors enjoyed their statutory rights and benefits. A total of 604 inspections were conducted to the workplaces of such workers, up 17.7 per cent on 2003, and 1 963 workers were interviewed. Contractors found to have breached labour legislation were prosecuted. Offence records and suspected breaches of contract terms were sent to concerned departments for administrative sanctions wherever appropriate.
- 6.15** To ensure compliance with the required conditions under the Supplementary Labour Scheme, we investigated 25 complaints and cases on suspected irregularities such as allegations on deprivation of statutory holidays, long working hours and underpayment of wages of imported workers.

Processing Employee Compensation Cases

- 6.16** Under the current no-fault employee compensation system, compensation is payable to injured employees or family members of deceased employees for any work-related injuries or deaths. Claims for compensation involving fatality are determined by the courts or the Commissioner for Labour under the improved settlement mechanism introduced in August 2000.
- 6.17** Information on employee compensation cases reported is shown in [Figures 6.3](#) and [6.4](#). We processed 33 969 non-fatal cases involving sick leave exceeding three days which were reported in 2004. These included 12 077 cases settled directly between employers and employees. Compensation amounting to \$7.72 million and \$254 million was payable respectively to the injured employees in minor cases and in cases involving sick leave exceeding three days.
- 6.18** For the 44 346 employee compensation cases reported in 2003, 41 859 non-fatal cases with sick leave exceeding three days and 140 fatal cases were settled as at the end of 2004. A sum of \$694 million was payable as compensation to the injured employees or family members of deceased employees. The number of working days lost was 1 116 741. ([Figure 6.5](#))
- 6.19** The Loan Scheme for Employees Injured at Work and Dependents of Deceased Employees provides temporary relief to victims of work accidents. Under the scheme, an interest-free loan up to \$15,000 in each case will be made to eligible applicants. In 2004, a total loan of \$164,600 was approved in 13 applications.

Processing SARS-related Claims

- 6.20** As at end-2004, the Labour Department received a total of 414 employees' compensation claims (including nine fatal cases) relating to Severe Acute Respiratory Syndrome (SARS) reported by employers under the Employees' Compensation Ordinance. Since employees infected with SARS might have other residual complications, they would be fit for assessment by the Employees' Compensation Assessment Board only when their medical conditions had stabilised. As at year-end, the Labour Department arranged a total of 247 assessments in respect of respiratory impairment. Since some of the SARS employees had other complications and had received treatment from other specialties, such as orthopaedic and endocrine, the department also actively arranged assessments by the relevant specialties. As a result of the department's active follow-up action, the statutory compensation claims in seven fatal cases and 76 non-fatal cases were resolved upon the issue of certificates of compensation assessment by the department as at year-end.

Information and Advisory Services

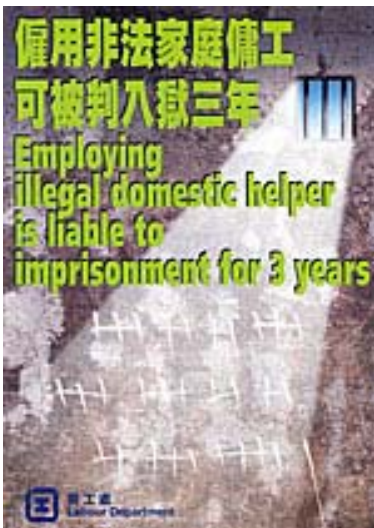
Telephone Enquiry Service

6.21

The Telephone Enquiry Service handles general enquiries on labour legislation and on services offered by the department. Guided by an interactive voice processing system, callers can listen to pre-recorded messages and obtain fax information 24 hours a day by making a selection from a wide range of topics. The service is supplemented by telephone enquiry officers handling more complicated enquiries during office hours. The service handled 538 548 calls from January to June in 2004. In July 2004, the service was merged with the telephone enquiry service operated by the Integrated Call Centre of the Efficiency Unit to enhance the enquiry service. Since then, the department's enquiry hotline 2717 1771 is handled by the "1823 Citizen's Easy Link".

Briefings and Promotional Campaigns

- 6.22** In 2004, we arranged four briefings for the public sector and 31 briefings for imported workers to publicise the rights and obligations of the parties concerned.
- 6.23** Extensive publicity campaigns were launched to warn against illegal employment and to educate employers and employees about their rights and obligations under the Employees' Compensation Ordinance.



Promotional leaflet against employment of illegal domestic helpers.



Seminar on the Employees' Compensation Ordinance to enhance participants' understanding of the Ordinance and the procedures in processing employees' compensation cases.

Partnership with Statutory Bodies

6.24 We maintain close partnership with various statutory bodies to administer the various schemes for the protection of the rights and benefits of employees.

Protection of Wages on Insolvency Fund Board

6.25 The Protection of Wages on Insolvency Ordinance (PWIO) provides for the establishment of the Protection of Wages on Insolvency Fund (the Fund) and its administration by a board. Under the PWIO, employees who are owed wages, wages in lieu of notice and severance payments by their insolvent employers may apply to the Fund within six months after their last day of service for ex gratia payments.

6.26 We provide administrative support to the Protection of Wages on Insolvency Fund Board by verifying applications and approving payments from the Fund. In 2004, we received 13 631 applications, a substantial drop of 39 per cent as compared with 22 350 in 2003. We processed a record high of 22 071 applications, leading to payments of \$381 million. A breakdown of applications received by economic sectors was shown in [Figure 6.6](#). The Fund Board secured a government bridging loan of \$695 million in 2002 and made the first drawdown of \$22 million in March 2004 in order to enable the Fund to tide over its short-term cash flow problem. As the economy continued to improve, the number of applications decreased. The Fund turned from deficit to a surplus of \$49 million by the end of 2004.

6.27 The department and the Fund Board take a serious view on possible abuse of the Fund, particularly with employers dishonestly shifting their liabilities on wage payments to the Fund. Stringent vetting procedures are in place to process all applications. An "inter-departmental task force" comprising representatives of the Labour Department, Official Receiver's Office, Commercial Crime Bureau of the Police Force and Legal Aid Department was set up in 2002 to further prevent possible abuse.

Pneumoconiosis Compensation Fund Board

6.28 The Pneumoconiosis Compensation Fund Board (PCFB) is established under the Pneumoconiosis (Compensation) Ordinance (PCO) to provide compensation to persons suffering from pneumoconiosis. The Board is financed by a levy collected from the construction and quarrying industries. Under the PCO, the Labour Department is responsible for determining whether an applicant is entitled to compensation. As at the end of 2004, 1 995 eligible persons were receiving compensation in the form of monthly payments from the PCFB. In the year, the Board made a total compensation payment of \$165 million.

Employees Compensation Assistance Fund Board

6.29 The Employees Compensation Assistance Fund Board (ECAFB) is set up under the

Employees Compensation Assistance Ordinance (ECAO). The ECAFB is responsible for running the Employees Compensation Assistance Scheme which provides payments to injured employees who are unable to receive their entitlements for employment-related injuries from their employers or insurers. In 2004, the Board approved 282 applications, leading to payments of \$132 million. With effect from 1 April 2004, the Employees Compensation Insurers Insolvency Bureau established by the insurance industry has taken over from the ECAFB the responsibility of meeting the liabilities arising from employees' compensation insurance policies in the event of the insolvency of the relevant insurers.

Occupational Deafness Compensation Board

6.30 The Occupational Deafness Compensation Board is established under the Occupational Deafness (Compensation) Ordinance to provide compensation and reimbursement of expenses incurred in purchasing, repairing and replacing hearing assistive devices to those persons who suffered from noise-induced deafness due to employment in specified noisy occupations. In 2004, the Board received 198 applications for compensation and approved 52 applications with a total compensation payout at about \$5.9 million. The Board also received 467 applications in relation to the payment of expenses on hearing assistive devices and approved 488 applications which included applications received in the previous year. The total approved amount was about \$2.1 million.

CHAPTER 7 INTERNATIONAL LABOUR AFFAIRS

International Instruments Setting Out Labour Standards

- 7.1** International Labour Conventions set by the International Labour Organisation (ILO) prescribe relevant labour standards for member states. Other international instruments, including the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, also touch on labour standards, albeit to a much smaller extent.
- 7.2** A comprehensive set of labour legislation and administrative measures are in place in the Hong Kong Special Administrative Region (HKSAR) to enable the Government to implement internationally accepted labour standards. Through continuous improvements to labour legislation and administrative measures, the HKSAR maintains a level of labour standards broadly equivalent to those of neighbouring countries with similar economic development as well as social and cultural backgrounds.
- 7.3** In accordance with the Basic Law, the provisions of the International Labour Conventions as applied to Hong Kong before the return of sovereignty shall remain in force and shall be implemented through the laws of the HKSAR. As at the end of 2004, 41 International Labour Conventions were applied to the HKSAR, with or without modification. ([Figure 7.1](#))

Participation in the Activities of the ILO

- 7.4** The HKSAR may participate in the activities of the ILO, either as a member of the delegation of the People's Republic of China or, for activities which are not limited to states, on its own using the name "Hong Kong, China".
- 7.5** In 2004, apart from the 92nd Session of the International Labour Conference held in Geneva, representatives from the HKSAR also participated in a number of other ILO activities. ([Figure 7.2](#))

Contacts with Other Labour Administrations

7.6 Delegations of labour administrators from the Mainland and overseas countries visited the Labour Department in 2004. The department also sent study missions to different provinces in the Mainland and overseas countries such as Australia, New Zealand, UK, Ireland, Sweden, Norway, USA, Canada etc. Apart from strengthening mutual cooperation, these visits provided opportunities for the department to exchange views and experience with our counterparts on various labour issues.



The ILO Regional Director for Asia and the Pacific, Mr Yasuyuki Nodera (third from left in the left row), meeting with the Permanent Secretary for Economic Development and Labour (Labour), Mr Matthew Cheung Kin-chung, Members of the Labour Advisory Board and other officials of the Labour Department during his visit to the HKSAR.



A 6-member delegation led by the Deputy Director-General of the Ministry of Labour and Social Security of the State Council, Ms Zhang Yali (sixth from left), visiting the Labour Department in October 2004.

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Highlights of
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**Figures
& Charts**

Figures and Charts

Figure 2.1 Number of Summonses Convicted and Total Fines in 2004

Figure 2.2 Organisation Structure of the Labour Department (as at 31 December 2004)

Figure 2.3 Terms of Reference of the Labour Advisory Board and Membership (2003-2004)

Figure 3.1 Key Indicators of Work of the Labour Relations Programme Area in 2004

Figure 3.2 Number of Labour Disputes Handled by the Labour Relations Division from 2000 to 2004

Figure 3.3 Number of Claims Handled by the Labour Relations Division from 2000 to 2004

Figure 3.4 Number of Labour Disputes Handled by the Labour Relations Division in 2004 by Cause

Figure 3.5 Number of Claims Handled by the Labour Relations Division in 2004 by Cause

Figure 3.6 Number of Strikes and Number of Employees Involved from 2000 to 2004

Figure 3.7 Number of Working Days Lost per 1 000 Salaried Employees and Wage-Earners from 2000 to 2004

Figure 4.1 Key Indicators of Work of the Programme of Safety and Health at Work in 2004

Figure 5.1 Key Indicators of Work of the Employment Services Programme Area in 2004

Figure 5.2 Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job-seekers from 2000 to 2004

Figure 5.3 Key Indicators of Work on Employment Assistance Rendered to Job-seekers with a Disability from 2000 to 2004

Figure 6.1 Key Indicators of Work of the Employee Rights and Benefits Programme Area in 2004

Figure 6.2 Number of Labour Inspections Made in 2004 by Major Economic Sector

Figure 6.3 Number of Cases Reported under the Employees' Compensation Ordinance in 2004 by Sex and Age

Figure 6.4 Number of Cases Reported under the Employees' Compensation Ordinance from 2000 to 2004

Figure 6.5 Number of Employee Compensation Cases by Working Days Lost for Cases Reported in 2003 and Result Known as at 31 December 2004

Figure 6.6 Number of Applications Received by the Wage Security Division in 2004 by Economic Sector

Figure 7.1 List of the 41 International Labour Conventions Applied to the Hong Kong Special Administrative Region

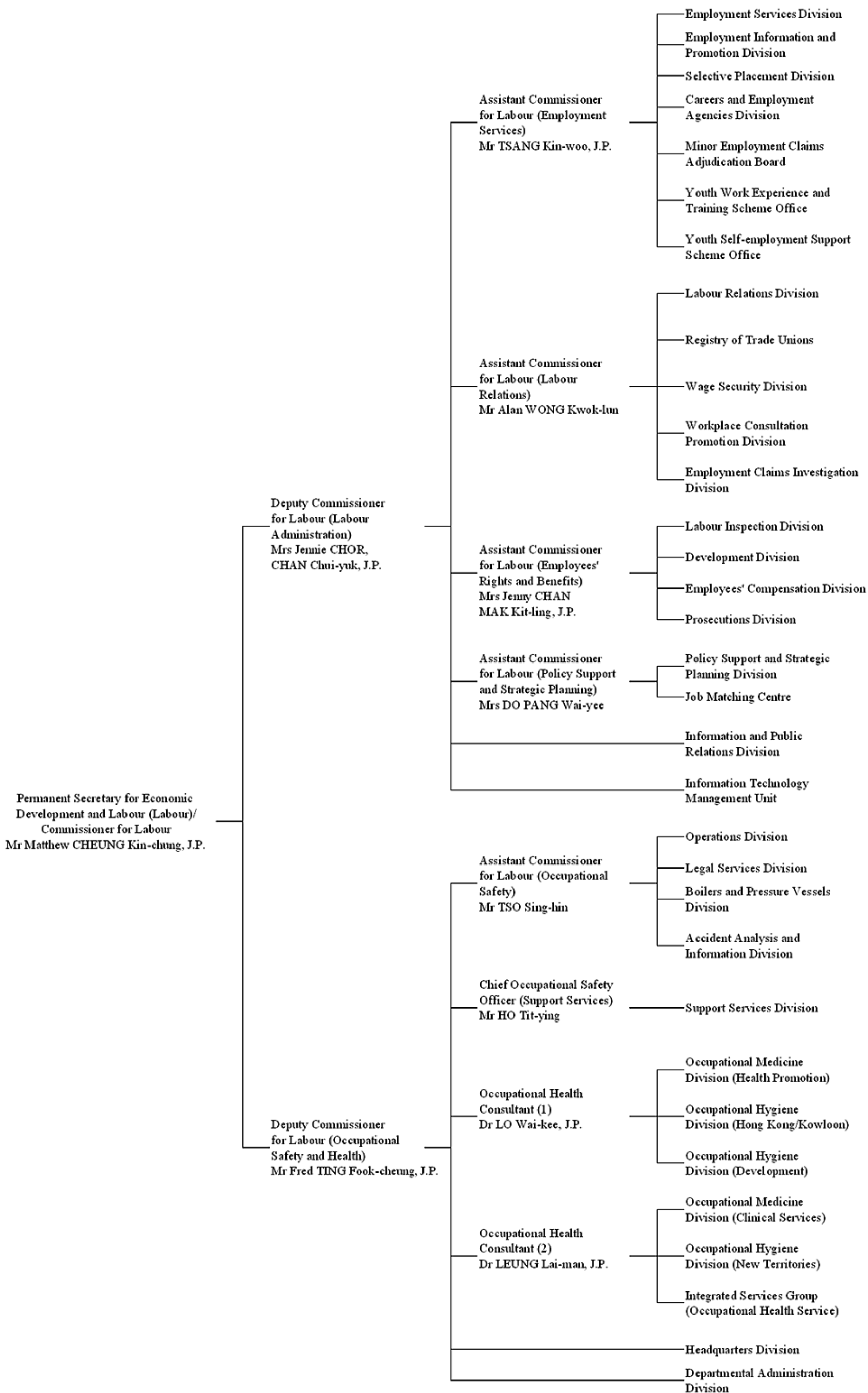
Figure 7.2 Major ILO Activities Participated and Contacts with Other Labour Administrations in 2004

圖二 . 一 二零零四年經定罪的傳票數目及罰款總額

Figure 2.1 Number of Summonses Convicted and Total Fines in 2004

條例 Ordinance	經定罪的傳票數目 Summonses Convicted	罰款 Total Fines (\$)
鍋爐及壓力容器條例 Boilers and Pressure Vessels Ordinance		
總額 Total	53	196,900
僱員補償條例 Employees' Compensation Ordinance		
總額 Total	1 018	2,759,790
僱傭條例及附屬規例 Employment Ordinance and subsidiary regulations		
法定福利個案 Statutory benefits cases	2066	3,524,600
青年個案 Young persons cases	12	14,300
其他 Others	17	57,800
總額 Total	2 095	3,596,700
工廠及工業經營條例及附屬規例 Factories and Industrial Undertakings Ordinance and subsidiary regulations		
工廠個案 Factory cases	515	3,335,400
建築地盤個案 Building and engineering construction cases	1 087	14,474,600
總額 Total	1 602	17,810,000
職業安全及健康條例及附屬規例 Occupational Safety and Health Ordinance and subsidiary regulations		
總額 Total	197	1,287,200
其他 Others		
總額 Total	0	0
合共 Grand Total	4 965	25,650,590

Figure 2.2 Organisation Structure of the Labour Department
(as at 31 December 2004)



圖二 . 三 勞工顧問委員會的職權範圍及成員 (2003-2004)
 Figure 2.3 Terms of Reference of the Labour Advisory Board and Membership (2003-2004)

職權範圍 Terms of Reference

勞顧會就有關勞工的事宜，包括法例及國際勞工組織的公約和建議書，向經濟發展及勞工局常任秘書長(勞工)提供意見。如委員會認為有需要時，可成立轄屬委員會，並加入非勞顧會的人士出任該等委員會的委員。

The Labour Advisory Board advises the Permanent Secretary for Economic Development and Labour (Labour) on such matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organisation. It may appoint such committees as it considers necessary and include any person not being a member of the Labour Advisory Board to serve on such committees.

成員組織 Composition

勞顧會的成員組織如下：

The composition of the Labour Advisory Board is as follows:

主席	經濟發展及勞工局常任秘書長(勞工)
Chairman	Permanent Secretary for Economic Development and Labour (Labour)
委員	五名由主要僱主商會提名的僱主委員
Members	Five employer members nominated by major employer associations
	五名由已登記僱員工會選出的僱員委員
	Five employee members elected by registered employee unions
	一名以個人身分獲委任的僱主委員及一名以個人身分獲委任的僱員委員
	One employer member and one employee member appointed ad personam
秘書	由一名高級勞工事務主任擔任
Secretary	A Senior Labour Officer

成員名單 (2003年1月1日至2004年12月31日) Membership (1 January 2003 – 31 December 2004)

主席	張建宗先生，JP	經濟發展及勞工局常任秘書長(勞工) (當然主席)
Chairman	Mr Matthew CHEUNG Kin-chung, JP	Permanent Secretary for Economic Development and Labour (Labour) (Ex. officio)

委員 Members

僱員代表 Employee Representatives

張國標先生	Mr Felix CHEUNG Kwok-bui	} 由已登記的僱員工會選出 Elected by registered employee unions
潘兆平先生，MH	Mr POON Siu-ping, MH	
梁籌庭先生	Mr LEUNG Chau-ting	
黃國健先生	Mr WONG Kwok-kin	
王少嫻女士	Ms WONG Siu-Han	
張枝先生	Mr CHEUNG Pak-chi	

僱主代表 Employer Representatives

何世柱先生，SBS，JP	香港中華總商會代表
Mr HO Sai-chu, SBS, JP	Representing the Chinese General Chamber of Commerce
梁君彥先生，SBS，JP	香港工業總會代表
Mr Andrew LEUNG Kwan-yuen, SBS, JP	Representing the Federation of Hong Kong Industries
[2003年1月1日至2004年8月26日] [1 January 2003 – 26 August 2004]	
劉展灝先生，MH	
Mr Stanley LAU Chin-ho, MH	
[2004年8月27日至2004年12月31日] [27 August 2004 – 31 December 2004]	
麥建華博士，JP	香港僱主聯合會代表
Dr Kim MAK Kin-wah, JP	Representing the Employers' Federation of Hong Kong
楊國琦先生，JP	香港總商會代表
Mr Anthony YEUNG Kwok-ki, JP	Representing the Hong Kong General Chamber of Commerce
尹德勝先生，BBS	香港中華廠商聯合會代表
Mr Paul YIN Tek-shing, BBS	Representing the Chinese Manufacturers' Association of Hong Kong
陳鎮仁先生，JP	以個人身分獲委任
Mr Clement Chen Cheng-jen, JP	Appointed ad personam

秘書 Secretary

馮應麟先生	高級勞工事務主任(發展)
Mr FUNG Ying-lun	Senior Labour Officer (Development)

圖三.一 二零零四年勞資關係綱領的主要工作表現指標
Figure 3.1 Key Indicators of Work of the Labour Relations Programme Area in 2004

主要的工作表現指標 Key Indicators of Work

調解及諮詢服務

Conciliation and Consultation Services

- 處理勞資糾紛及申索聲請數目 28 666
labour disputes and claims handled
- 處理親身諮詢次數 112 997
in-person consultations handled
- 經調解而獲解決的勞資糾紛及申索聲請佔所調解個案的百分率 67.3%
percentage of labour disputes and claims resolved through conciliation

小額薪酬索償的仲裁

Adjudication of Minor Employment Claim

- 小額薪酬索償仲裁處仲裁的申索聲請數目 2 594
Claims adjudicated by Minor Employment Claims Adjudication Board

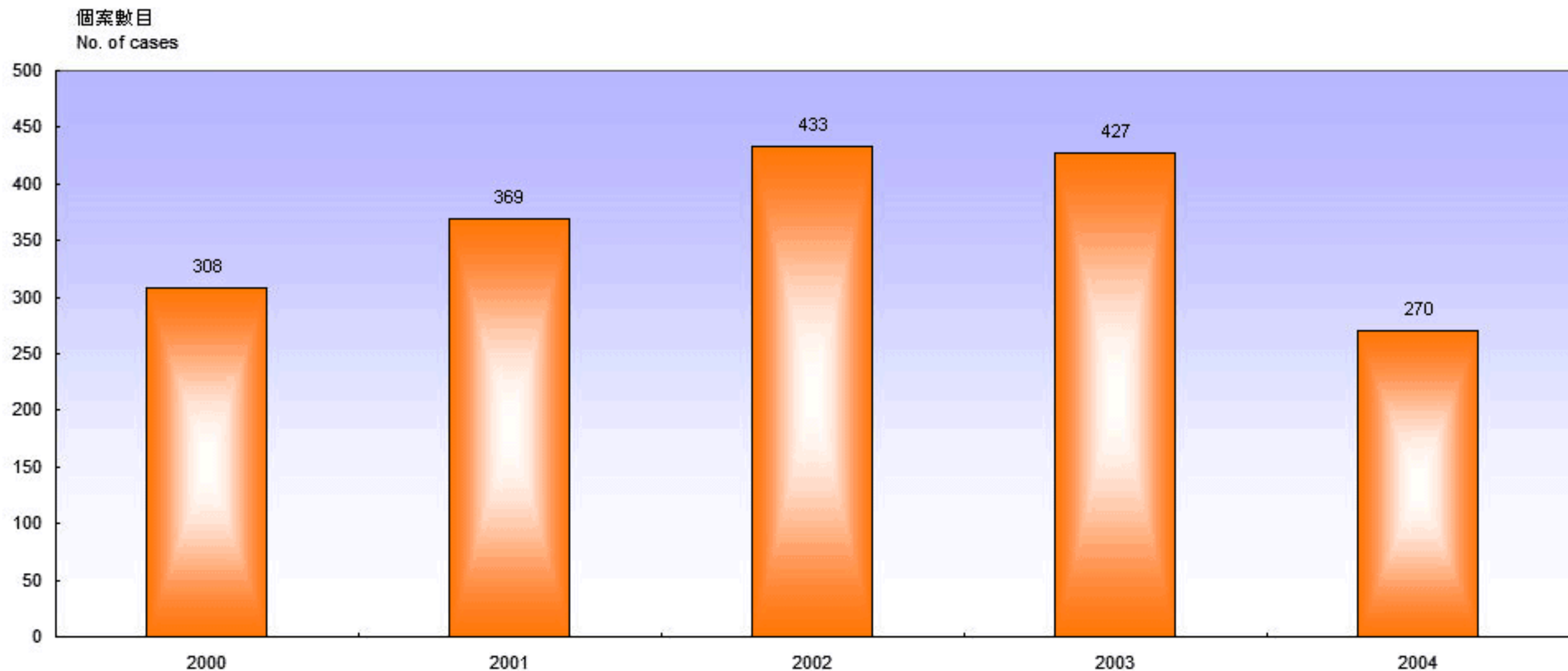
規管職工會

Regulation of Trade Unions

- 登記新職工會及職工會更改名稱/規則 125
registration of new trade unions and changes of union names/ rules
- 巡查職工會次數 366
inspection visits to trade unions
- 審查職工會帳目報表數目 601
account statements of trade unions examined
- 為職工會舉辦訓練課程及研討會的數目 6
training courses and seminars organised for trade unions

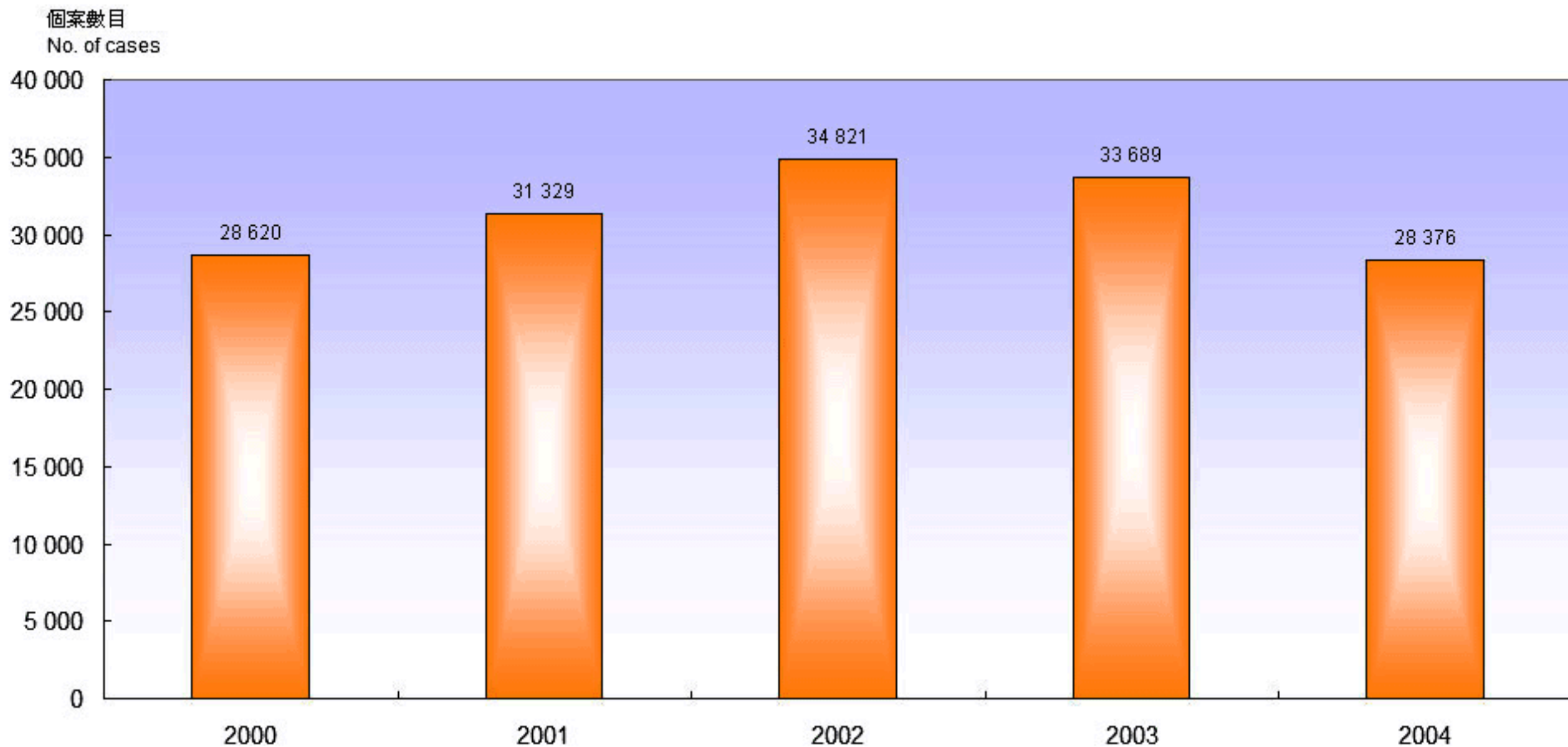
圖三·二
Figure 3.2

二零零零年至二零零四年勞資關係科所處理的勞資糾紛數目
Number of Labour Disputes Handled by the Labour Relations Division from 2000 to 2004



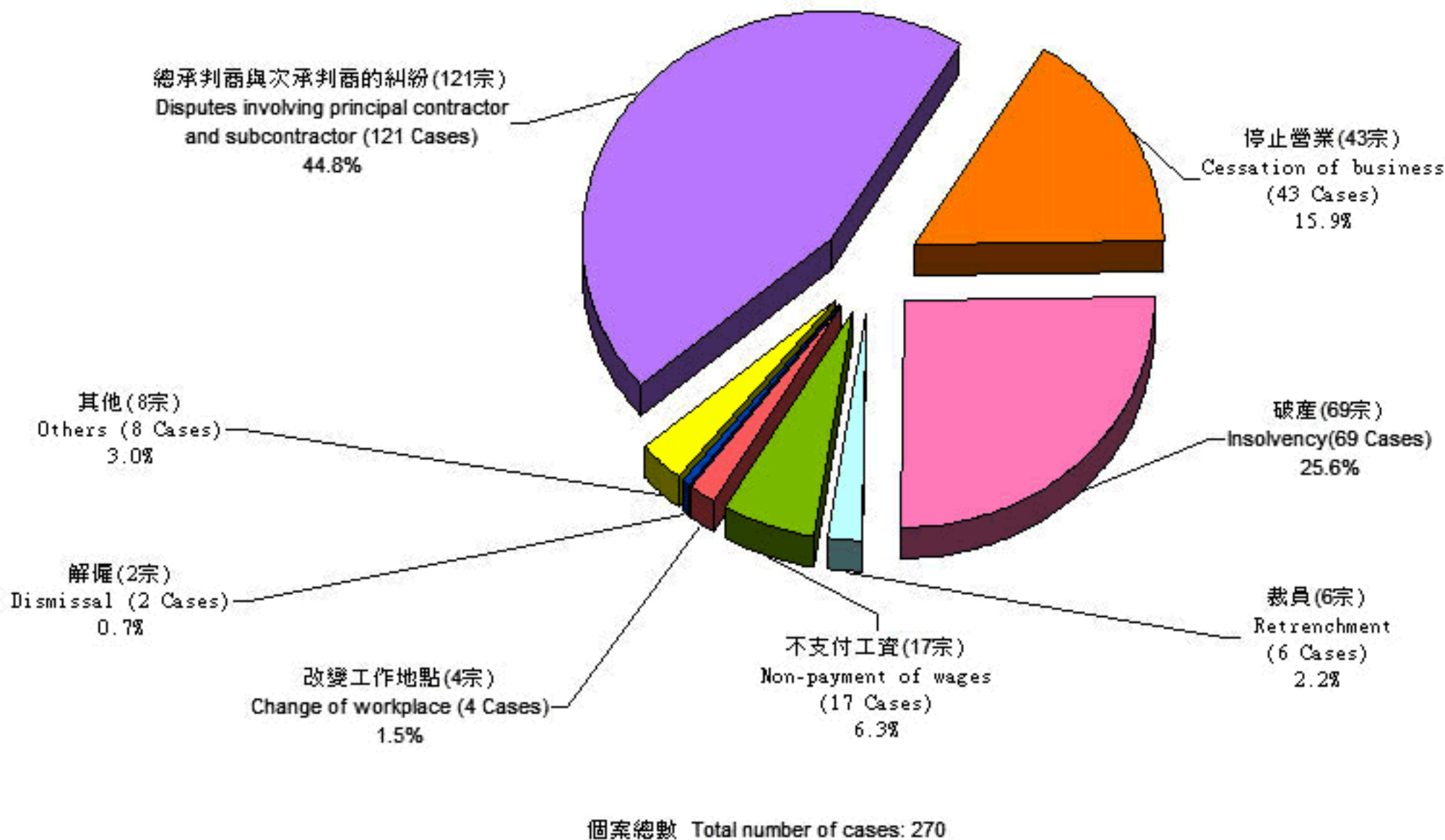
圖三・三
Figure 3.3

二零零零年至二零零四年勞資關係科所處理的申索聲請數目
Number of Claims Handled by the Labour Relations Division from 2000 to 2004



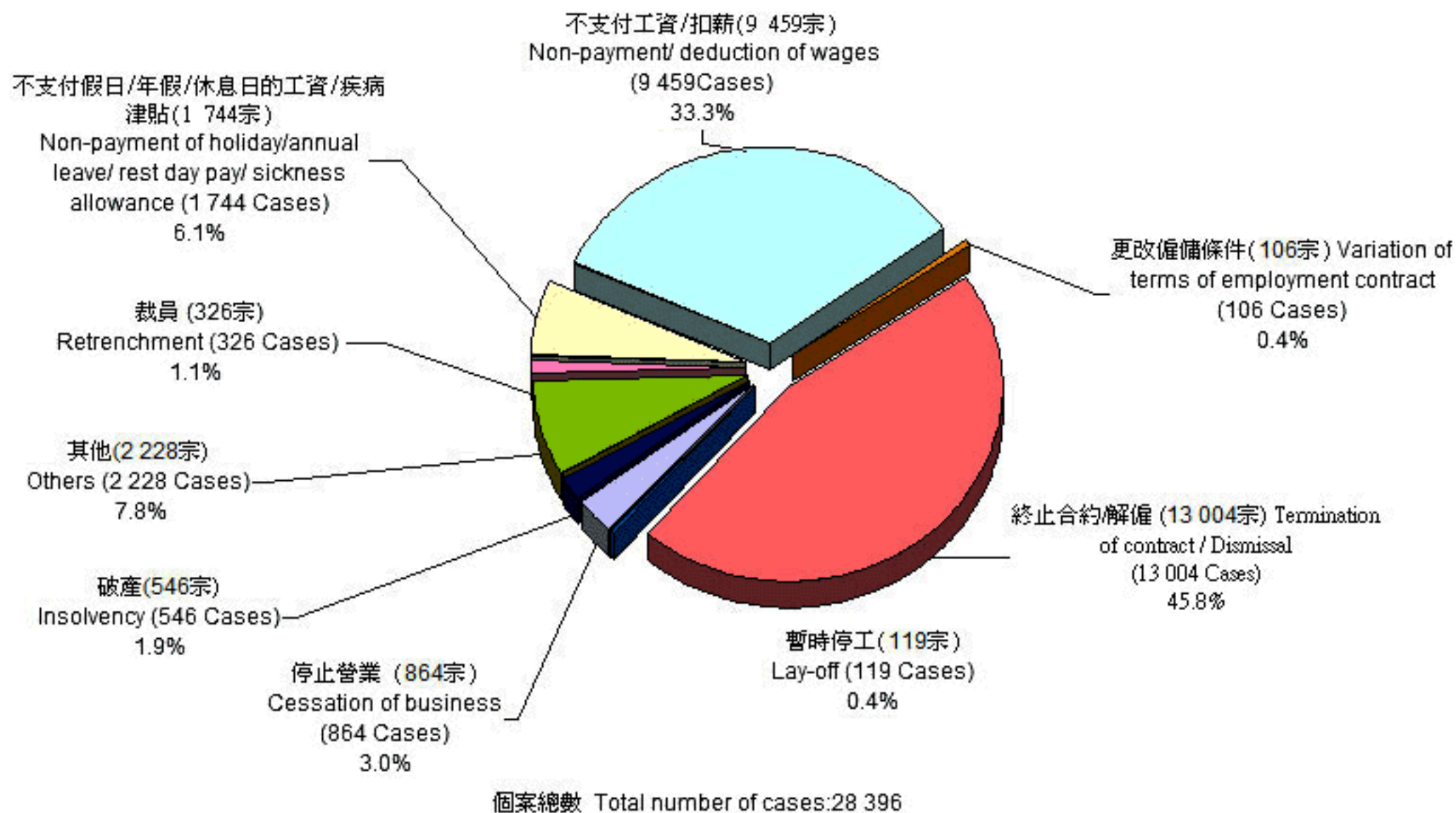
圖三·四
Figure 3.4

二零零四年勞資關係科所處理按成因劃分的勞資糾紛數目
Number of Labour Disputes Handled by the Labour Relations Division in 2004 by Cause



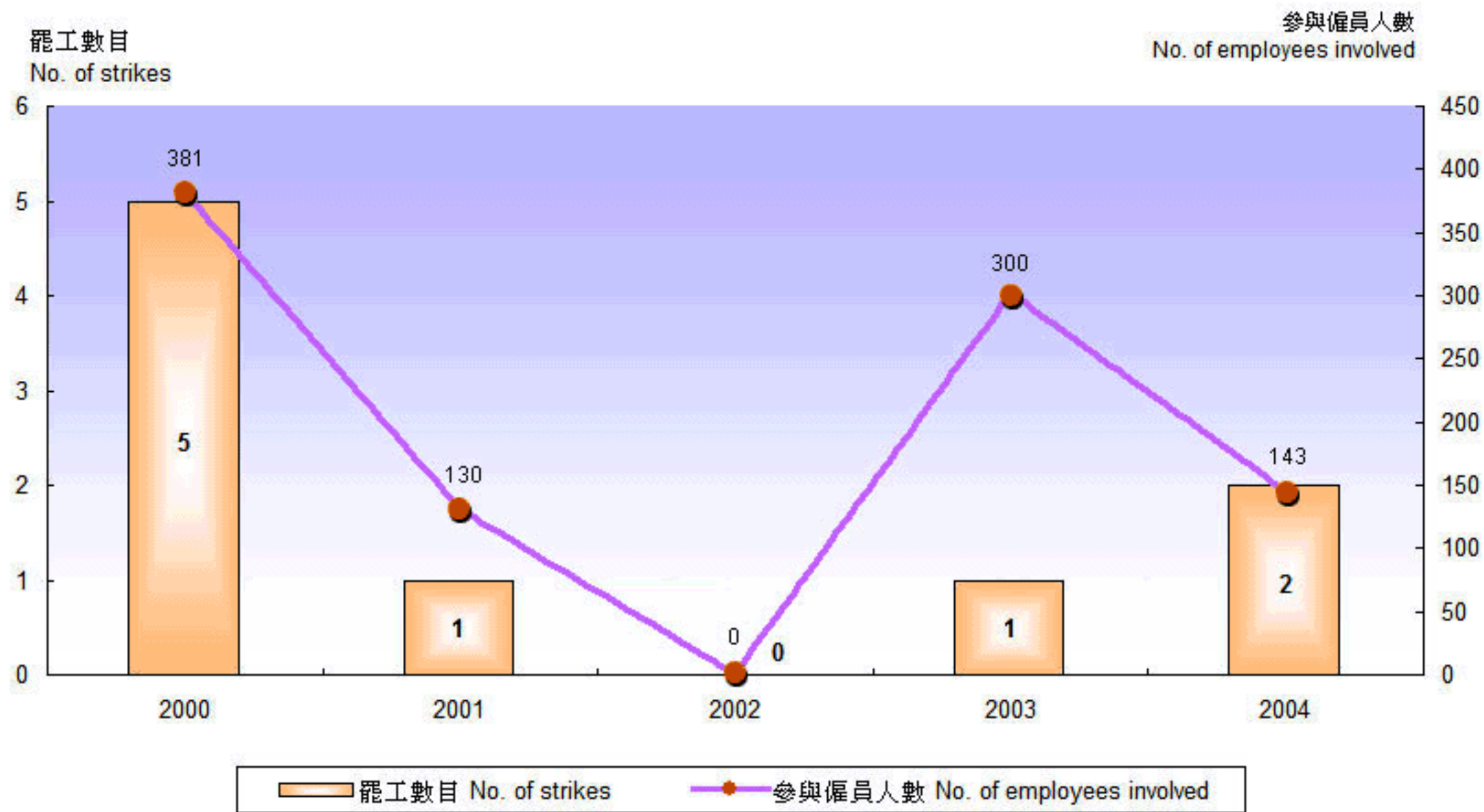
圖三·五
Figure 3.5

二零零四年勞資關係科所處理按成因劃分的申索聲請數目
Number of Claims Handled by the Labour Relations Division in 2004 by Cause



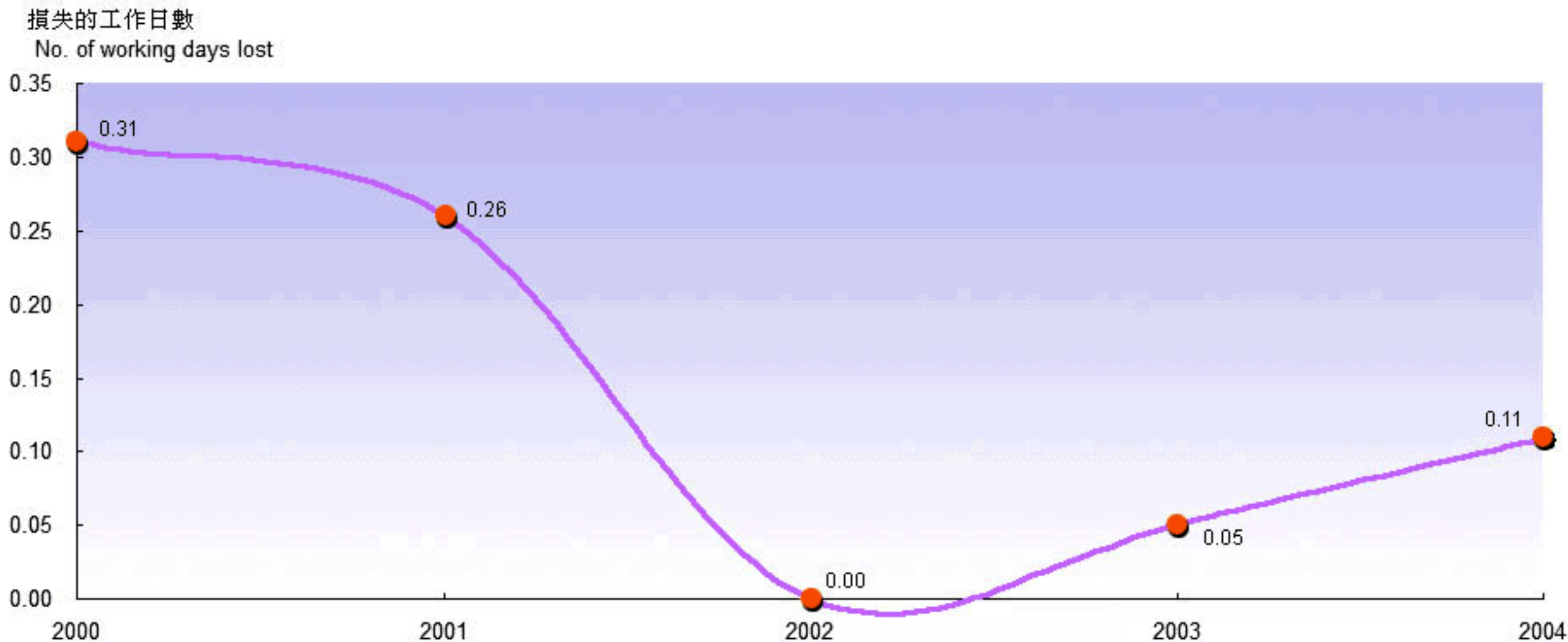
圖三·六
Figure 3.6

二零零零年至二零零四年罷工數目及參與罷工的僱員人數 Number of Strikes and Number of Employees Involved from 2000 to 2004



圖三・七
Figure 3.7

二零零零年至二零零四年每一千名受薪僱員*所損失的工作日數
Number of Working Days Lost per 1 000 Salaried Employees and Wage Earners*
from 2000 to 2004



*受薪僱員包括僱員及曾受僱的失業人士。

*Salaried employees and wage earners include employees and unemployed persons having previous jobs.

視察 Inspections	
• 根據《工廠及工業經營條例》和《職業安全及健康條例》進行視察的次數 inspections under the FIUO ¹ and the OSHO ²	118 861
• 根據《鍋爐及壓力容器條例》進行檢驗的次數 inspections under the BPVO ³	5 744
調查 Investigations	
• 對工作場所發生的意外進行調查的次數 investigations of accidents at workplaces	12 342
• 對懷疑職業病個案進行調查的次數 investigations of suspected cases of occupational diseases	2 435
宣傳及教育 Promotion and Education	
• 根據《工廠及工業經營條例》和《職業安全及健康條例》到工作場所進行宣傳探訪的次數 promotional visits to workplaces under the FIUO ¹ and the OSHO ²	6 228
• 舉辦講座、講課和研討會數目 talks, lectures and seminars organised	2 610
登記壓力器具 Pressure Equipment Registration	
• 登記壓力器具數目 pressure equipment registered	1 402
• 為簽發或批署合格證書而舉行的考試及批准豁免的次數 examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	414
診症服務 Clinical Services	
• 診症次數 clinical consultations conducted	8 126
• 身體檢查及評估次數 medical examinations and assessments conducted	2 682

註解 Notes:

1 《工廠及工業經營條例》 Factories and Industrial Undertakings Ordinance

2 《職業安全及健康條例》 Occupational Safety and Health Ordinance

3 《鍋爐及壓力容器條例》 Boilers and Pressure Vessels Ordinance

圖五.一 二零零四年就業服務綱領的主要工作表現指標

Figure 5.1 Key Indicators of Work of the Employment Services Programme Area in 2004

主要的工作表現指標 Key Indicators of Work

健全求職者 Able-bodied Job-seekers:

- 登記人數 persons registered	223 229
- 成功就業個案數目 placements	86 257

殘疾求職者 Disabled Job-seekers:

- 轉介求職個案數目 referrals	13 611
- 獲安排就業人數 placements	2 391

規管職業介紹所 Regulating Employment Agency

- 簽發牌照數目 licences issued	1 501
- 巡查次數 inspections	1 376

處理按補充勞工計劃提出的申請數目

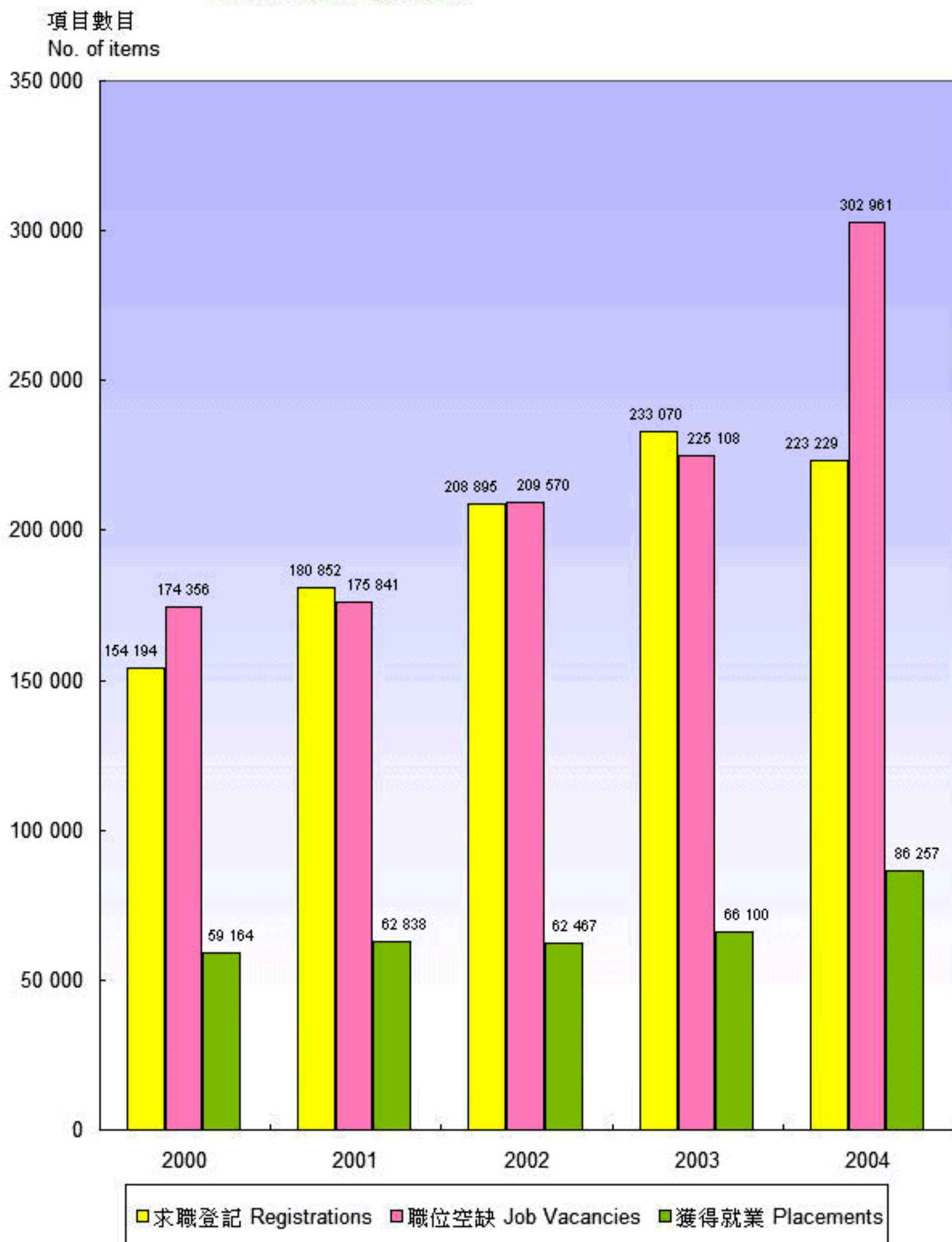
Applications under Supplementary Labour Scheme Processed	466
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圖五·二

二零零零年至二零零四年向健全求職人士提供就業服務的工作表現指標

Figure 5.2

Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job-seekers from 2000 to 2004

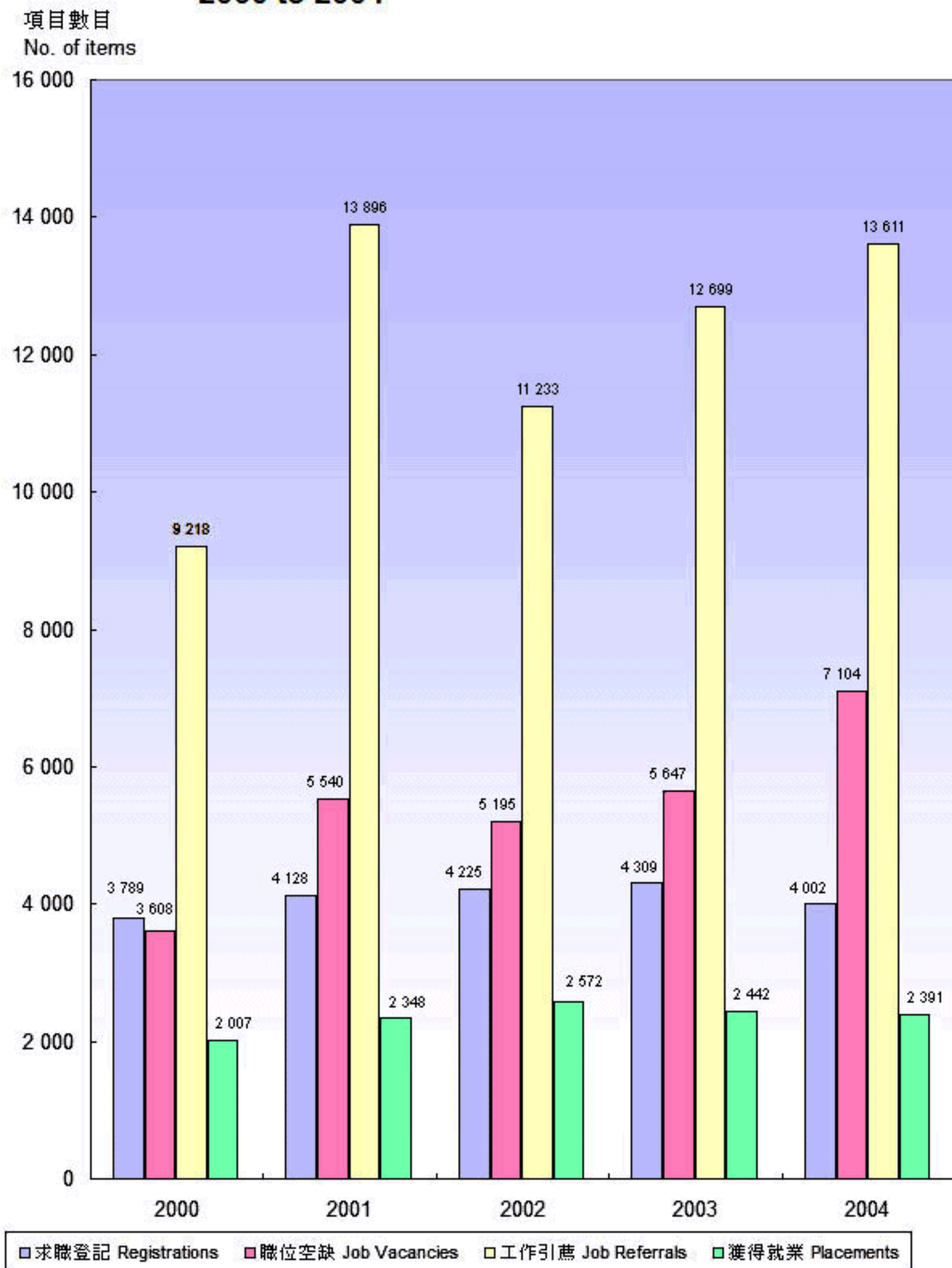


圖五・三

二零零零年至二零零四年向殘疾求職人士提供就業服務的工作表現指標

Figure 5.3

Key Indicators of Work on Employment Assistance Rendered to Job-seekers with a Disability from 2000 to 2004

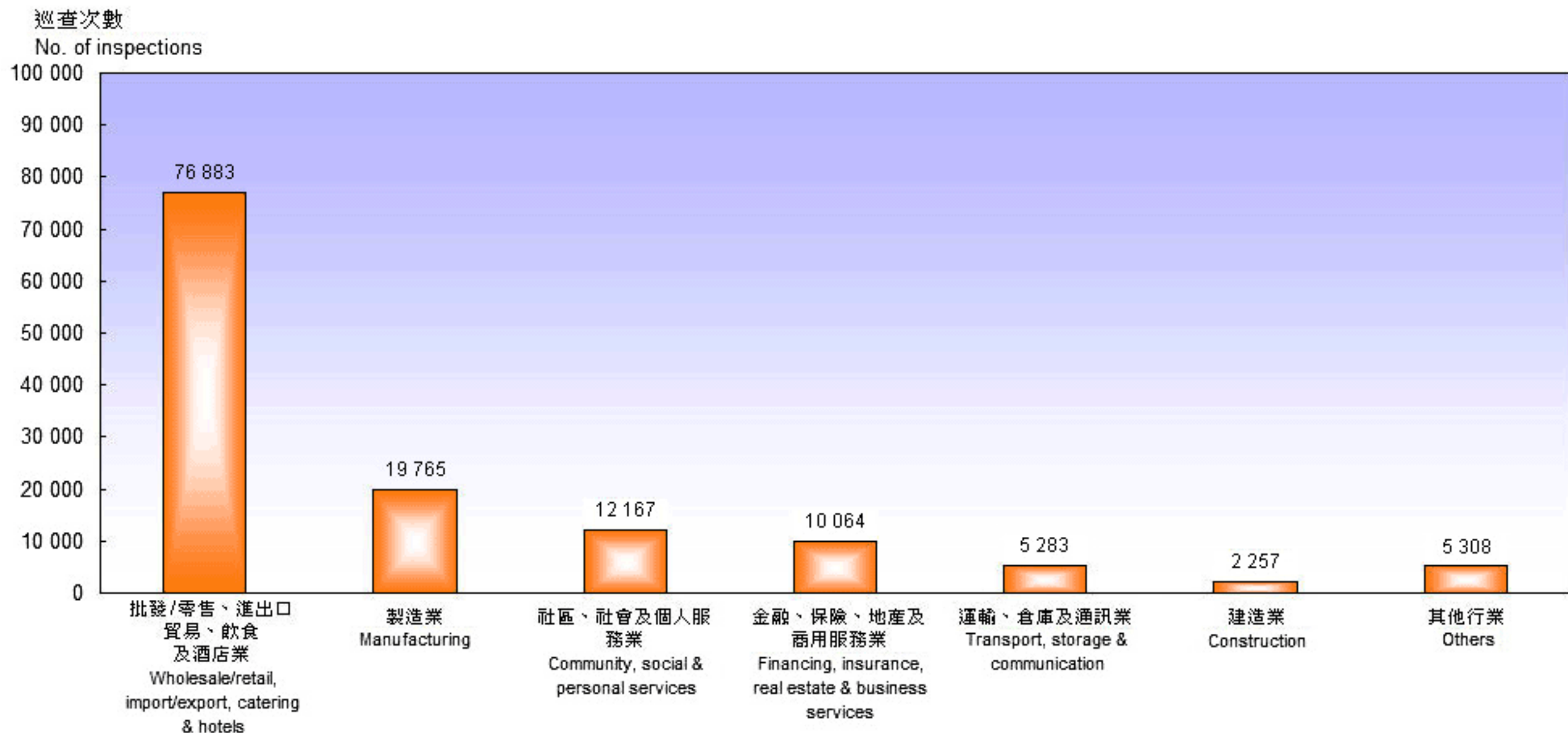


圖六.一 二零零四年僱員權益及福利綱領的主要工作表現指標
Figure 6.1 Key Indicators of Work of the Employee Rights and Benefits Programme Area in 2004

主要的工作表現指標 Key Indicators of Work	
在工作場所進行的勞工視察次數 Labour Inspections to Workplaces	131 727
接獲僱員補償聲請的數目 Employee Compensation Claims Received	56 652
為受傷僱員辦理銷假的會面次數 Sick Leave Clearance Interviews for Injured Employees Conducted	52 645
評估受傷僱員的喪失賺取收入能力的程度 Assessment of Loss of Earning Capacity of Injured Employees	
- 普通評估 ordinary assessment	16 672
- 特別評估 special assessment	8
- 覆檢評估 review assessment	2 803
處理要求破產欠薪保障基金發放特惠款項的申請數目 Applications for Payment under the Protection of Wages on Insolvency Fund Processed	13 631
調查有關外地勞工的個案數目 Cases related to Imported Workers Investigated	25
與違例欠薪有關的定罪傳票數目 Convicted Summonses on Wage Offences	504

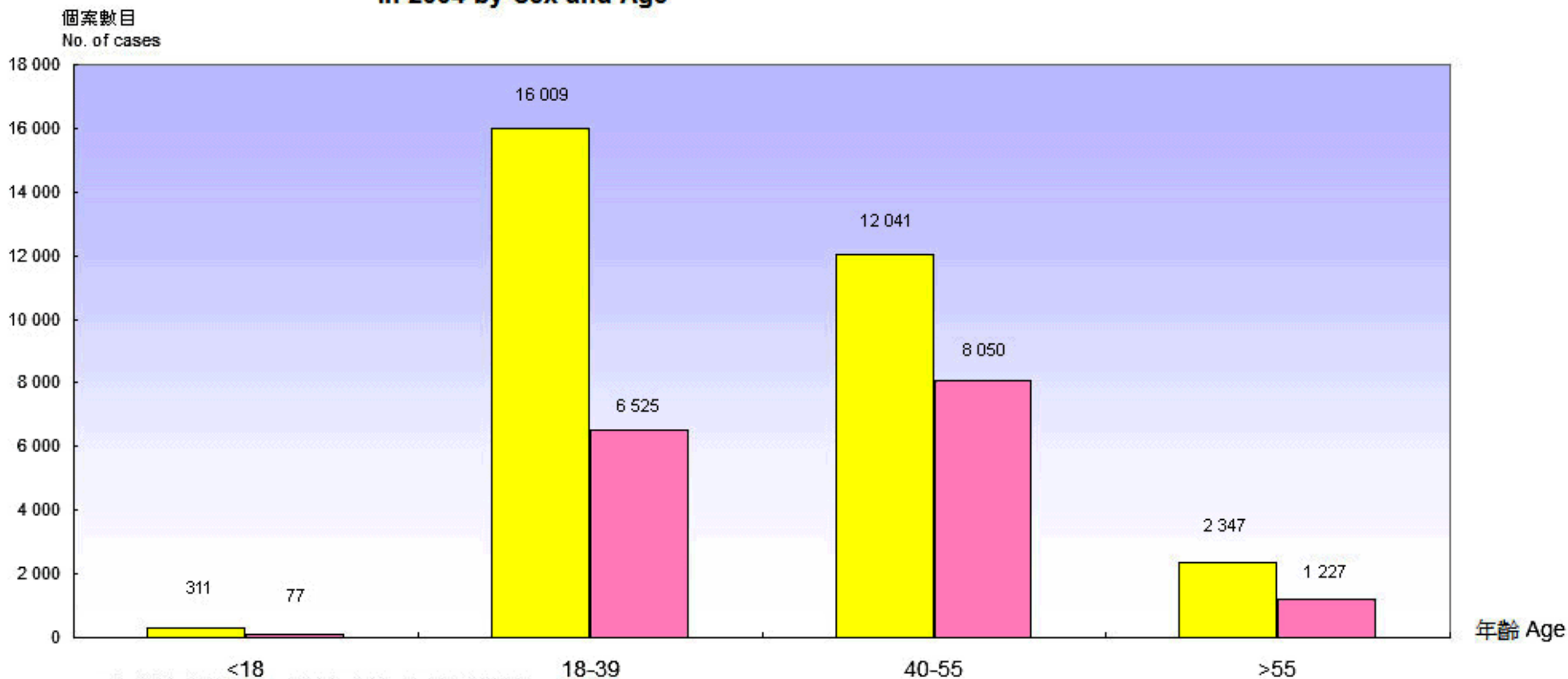
圖六·二
Figure 6.2

二零零四年按主要經濟行業劃分的勞工視察次數 Number of Labour Inspections Made in 2004 by Major Economic Sector



圖六·三
Figure 6.3

二零零四年根據僱員補償條例呈報並按性別及年齡劃分的個案數目*
Number of Cases Reported under the Employees' Compensation Ordinance*
in 2004 by Sex and Age



*個案數字不包括10 065宗涉及不超過三天病假之個案。
*The number of cases excludes 10 065 cases involving sick leave of not exceeding three days.

男 Male 女 Female

圖六·四
Figure 6.4

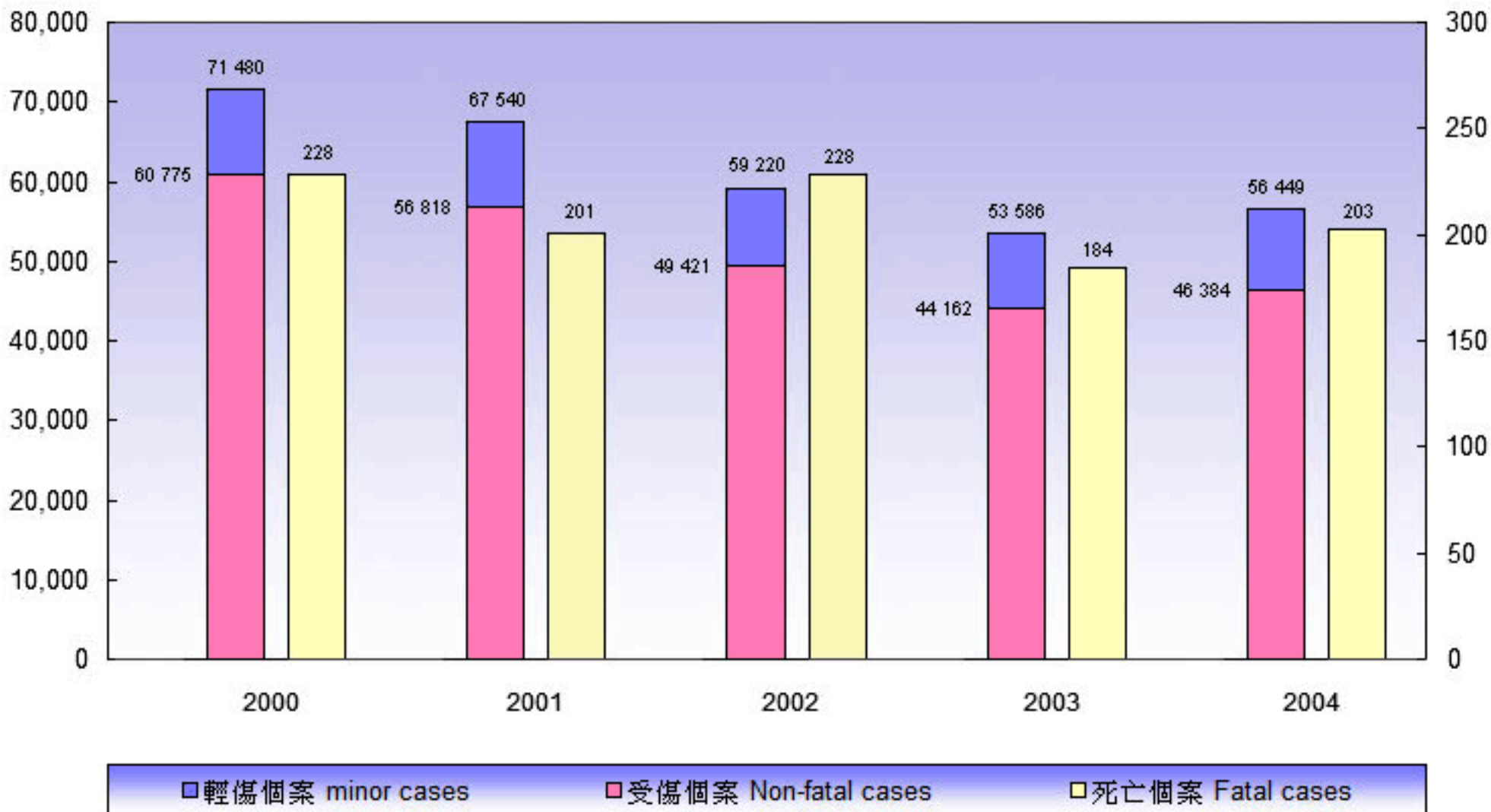
二零零零年至二零零四年根據僱員補償條例呈報的個案數目* Number of Cases Reported under the Employees' Compensation Ordinance from 2000 to 2004

受傷/輕傷個案數目

No. of non-fatal / minor cases

死亡個案數目

No. of fatal cases



*二零零零年、二零零一年、二零零二年、二零零三年及二零零四年的數字分別有30宗、20宗、35宗、25宗及15宗僱員因自然原因死亡的個案。二零零四年受傷個案的數字包括了10 065宗涉及不超過三天病假之輕傷個案。

*The figures for 2000, 2001, 2002, 2003 and 2004 include 30, 20, 35, 25 and 15 cases respectively in which the death of the employee was found to be due to natural cause. The figure for non-fatal cases for 2004 includes 10 065 cases involving sick leave of not exceeding three days, i.e. minor cases.

圖六·五

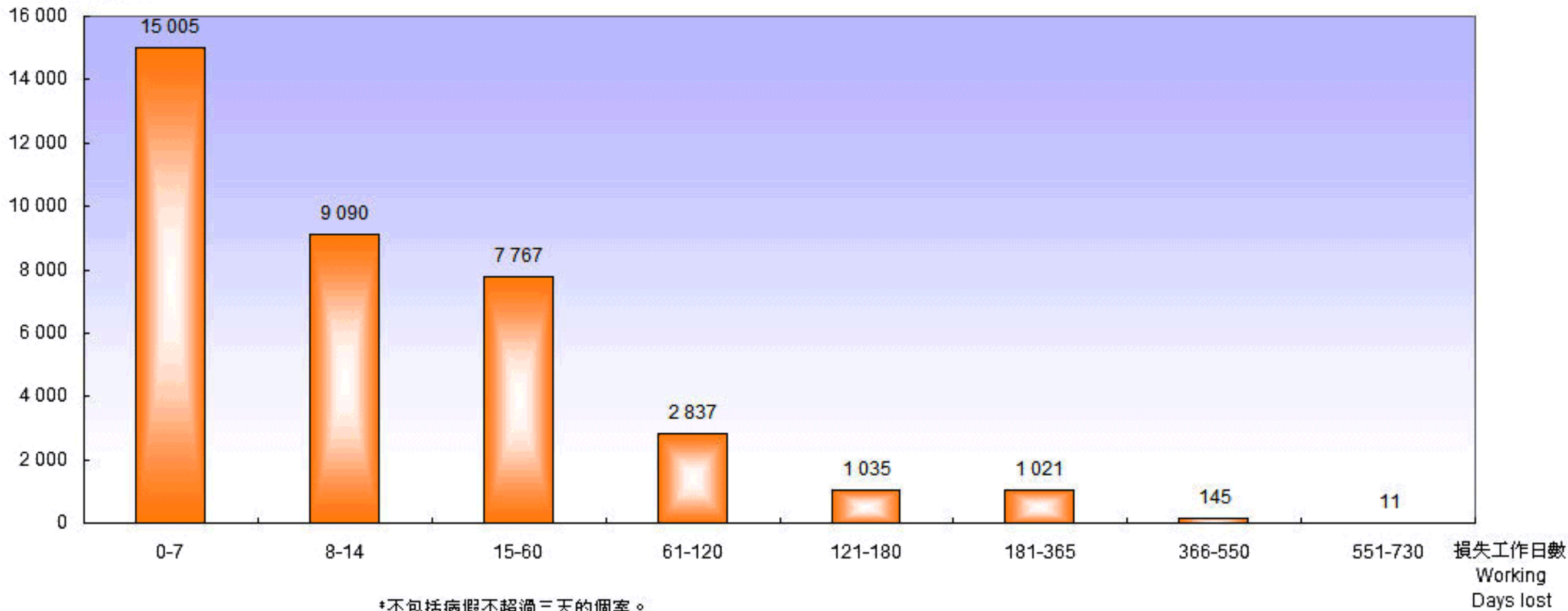
據二零零四年十二月三十一日所知，在二零零三年呈報並按損失工作日數劃分的僱員補償個案數目*

Figure 6.5

Number of Employee Compensation Cases* by Working Days Lost for Cases Reported in 2003 and Result Known as at 31 December 2004

個案數目

No. of cases



*不包括病假不超過三天的個案。

*Excludes cases involving sick leave of not exceeding three days.

圖六·六
Figure 6.6

二零零四年薪酬保障科接獲按經濟行業劃分的申請數目
Number of Applications Received by the Wage Security Division in 2004 by Economic Sector

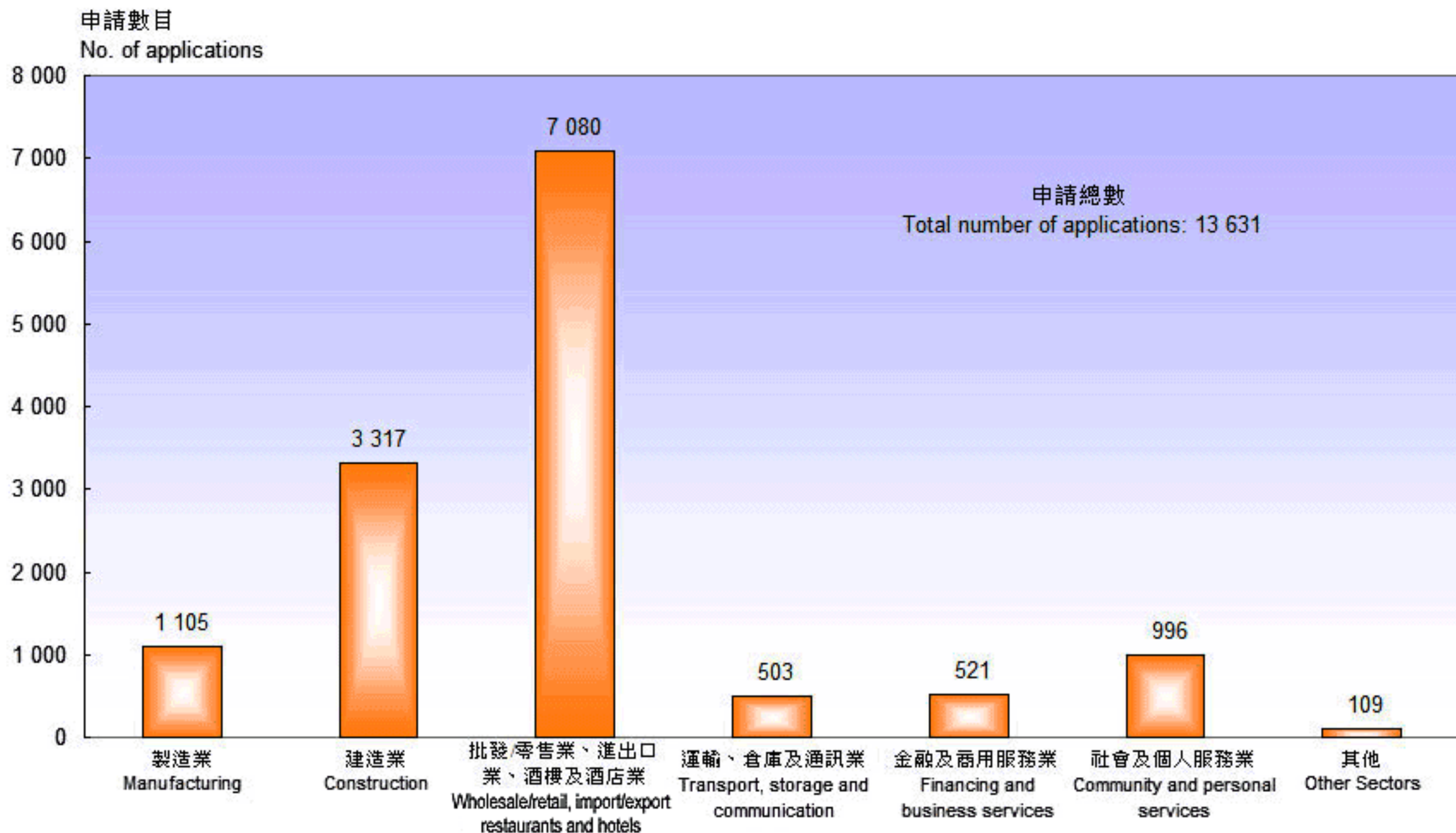


圖 七.一
Figure 7.1

在香港特別行政區適用的四十一條國際勞工公約一覽表
List of the 41 International Labour Conventions
Applied to the Hong Kong Special Administrative Region

公約編號 Convention No.	名稱 Title
2.	一九一九年《失業公約》 Unemployment Convention, 1919
3.	一九一九年《分娩保護公約》 Maternity Protection Convention, 1919
8.	一九二零年《失業賠償(船舶失事)公約》 Unemployment Indemnity (Shipwreck) Convention, 1920
11.	一九二一年《結社權利(農業)公約》 Right of Association (Agriculture) Convention, 1921
12.	一九二一年《工人賠償(農業)公約》 Workmen's Compensation (Agriculture) Convention, 1921
14.	一九二一年《每週休息(工業)公約》 Weekly Rest (Industry) Convention, 1921
16.	一九二一年《青年體格檢查(海上)公約》 Medical Examination of Young Persons (Sea) Convention, 1921
17.	一九二五年《工作賠償(意外)公約》 Workmen's Compensation (Accidents) Convention, 1925
19.	一九二五年《待遇平等(意外賠償)公約》 Equality of Treatment (Accident Compensation) Convention, 1925
22.	一九二六年《海員協定條款公約》 Seamen's Articles of Agreement Convention, 1926
23.	一九二六年《海員遣返公約》 Repatriation of Seamen Convention, 1926
29.	一九三零年《強迫勞動公約》 Forced Labour Convention, 1930
32.	一九三二年《防止意外(碼頭工人)公約(修訂本)》 Protection against Accidents (Dockers) Convention (Revised), 1932
42.	一九三四年《工人賠償(職業病)公約(修訂本)》 Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934
50.	一九三六年《招募本地工人公約》 Recruiting of Indigenous Workers Convention, 1936
64.	一九三九年《僱用契約(本地工人)公約》 Contracts of Employment (Indigenous Workers) Convention, 1939
65.	一九三九年《刑事制裁(本地工人)公約》 Penal Sanctions (Indigenous Workers) Convention, 1939
74.	一九四六年《海員合格證書公約》 Certification of Able Seamen Convention, 1946
81.	一九四七年《勞工督察公約》 Labour Inspection Convention, 1947
87.	一九四八年《結社自由與保護組織權利公約》 Freedom of Association and Protection of the Right to Organise Convention, 1948
90.	一九四八年《青年夜間工作(工業)公約(修訂本)》 Night Work of Young Persons (Industry) Convention (Revised), 1948
92.	一九四九年《船員住房公約(修訂本)》 Accommodation of Crews Convention (Revised), 1949
97.	一九四九年《移居就業公約(修訂本)》 Migration for Employment Convention (Revised), 1949
98.	一九四九年《組織權利及集體談判權利公約》 Right to Organise and Collective Bargaining Convention, 1949
101.	一九五二年《有薪假期(農業)公約》 Holidays with Pay (Agriculture) Convention, 1952
105.	一九五七年《廢除強迫勞動公約》 Abolition of Forced Labour Convention, 1957
108.	一九五八年《海員身份證書公約》 Seafarers' Identity Documents Convention, 1958
115.	一九六零年《輻射防護公約》 Radiation Protection Convention, 1960
122.	一九六四年《就業政策公約》 Employment Policy Convention, 1964
124.	一九六五年《青年體格檢查(井下作業)公約》 Medical Examination of Young Persons (Underground Work) Convention, 1965
133.	一九七零年《船員住房(補充規定)公約》 Accommodation of Crews (Supplementary Provisions) Convention, 1970
138.	一九七三年《最低年齡公約》 Minimum Age Convention, 1973
141.	一九七五年《農業工人組織公約》 Rural Workers' Organisations Convention, 1975
142.	一九七五年《人力資源開發公約》 Human Resources Development Convention, 1975
144.	一九七六年《三方協商(國際勞工標準)公約》 Tripartite Consultation (International Labour Standards) Convention, 1976
147.	一九七六年《商船(最低標準)公約》 Merchant Shipping (Minimum Standards) Convention, 1976
148.	一九七七年《工作環境(空氣污染、噪音和震動)公約》 Working Environment (Air Pollution, Noise and Vibration) Convention, 1977
150.	一九七八年《勞動行政管理公約》 Labour Administration Convention, 1978
151.	一九七八年《(公務員)勞動關係公約》 Labour Relations (Public Service) Convention, 1978
160.	一九八五年《勞工統計公約》 Labour Statistics Convention, 1985
182.	一九九九年《最有害的童工形式公約》 Worst Forms of Child Labour Convention, 1999

Figure 7.2 Major ILO Activities Participated and Contacts with Other Labour Administrations in 2004

1. Mr Yasuyuki Nodera, ILO Regional Director for Asia and the Pacific, visited the HKSAR under the "Sponsored Visitors' Programme" co-ordinated by the Information Services Department.
2. The Labour Department sent a 5-member study mission to the Regional Office for Asia and the Pacific of ILO (ROAP) in Bangkok, and the labour ministries of the Thai and Singapore governments.
3. The Labour Department sent a 5-member study mission to Australia and New Zealand to study the employment services, labour relations systems and enforcement of labour law in these countries.
4. The Labour Department sent a representative to attend a workshop in Japan entitled "Workshop on International Migration and Labour Market in Asia" co-organised by the ILO, the Japanese Government and other international organisations.
5. Assistant Commissioner for Labour (Employees' Rights and Benefits) led a 4-member study mission, together with a representative from the Office of the Commissioner of the Insurance, to visit Australia to study the central compensation insurance schemes.
6. A 4-member study mission formed by officers from Labour Department and a representative from the Office of the Commissioner of the Insurance was sent to the USA and Canada to study the employees' compensation scheme in these countries and the residual market mechanism adopted in the USA.
7. The Permanent Secretary for Economic Development and Labour (Labour) led a delegation to attend and deliver a speech at the China Employment Forum in Beijing.
8. Assistant Commissioner for Labour (Employment Services) led a delegation to visit Macao Special Administrative Region for the purpose of exchanging views and experience regarding employment services.
9. The Labour Department sent a representative to Bangkok to attend the ILO / Japan Asian Pacific Regional Seminar on the Application of the ILO Declaration on Fundamental Principles and Rights at Work.
10. Assistant Commissioner for Labour (Policy Support and Strategic Planning) led a tripartite team comprising government officials, employer representatives and employee representatives to attend the 92nd Session of the International Labour Conference in Geneva, Switzerland in the capacity of advisers of the People's Republic of China Delegation.
11. The Labour Department sent a representative to attend the 20th World Congress of Rehabilitation International in Norway and study the placement services for the persons with disability in the Scandinavian countries.
12. Assistant Commissioner for Labour (Employment Services) attended the "1st Pan-Pearl River Delta Regional Joint Conference on Labour Services Cooperation" in Guangdong Province.
13. The Permanent Secretary for Economic Development and Labour (Labour) headed a 6-member delegation to visit the labour administration authorities in major cities of Guangdong Province.
14. Assistant Commissioner for Labour (Employment Services) led a 5-member study mission to UK and Ireland to study their employment initiatives, experience in resolving labour disputes as well as legislation against age discrimination.
15. Ms Zhang Yali, Deputy Director-General of the Ministry of Labour and Social Security of the State Council led a delegation to visit the Labour Department to exchange views and experience on various labour issues.
16. The Labour Department sent four officers to attend a workshop entitled "National Workshop on Public Employment Services" held in Shanghai, China. The workshop was co-organised by the ILO Turin International Training Centre, the Ministry of Labour and Social Security of the State Council and the Flemish Labour Market and Vocational Training Authority of Belgium.
17. Five representatives of the Labour Department visited Sweden with a view to understanding its labour market policy and regulation, and labour relations system.
18. Assistant Commissioner for Labour (Employees' Rights and Benefits) led a delegation to Guangdong Province to study the operation of the employees' compensation system in Guangdong.
19. Five representatives of the Labour Department visited Canada and the USA to study the systems and practices of employment services, labour relations, workers' compensation and labour law enforcement in these countries.
20. With the assistance of the ILO Beijing Office and the support from the experts of the ROAP, the Labour Department organised a two-and-a-half-day training workshop for the officers of the Department on conciliation skills.