



# 勞工處年報 2023

## Labour Department Annual Report



### 勿違職安法 僱主僱員同有責

Complying with Occupational Safety and Health Legislation is a Shared Obligation for Employers and Employees

2023年  
職業安全及健康條例雜項修訂  
(離項修訂)法例  
已經生效

The Occupational Safety and Health Legislation (Miscellaneous Amendments) Ordinance 2023 is in effect

嚴懲違反職安法例

最高可罰款  
**1,000萬元**  
或監禁兩年

The maximum penalty has been raised to **\$10 million fine** and two years' imprisonment for serious contraventions





<b>Chapter 1</b>	Highlights of Year 2023 .....	<b>1</b>
<b>Chapter 2</b>	Labour Department .....	<b>10</b>
<b>Chapter 3</b>	Labour Relations .....	<b>13</b>
<b>Chapter 4</b>	Safety and Health at Work .....	<b>18</b>
<b>Chapter 5</b>	Employment Services .....	<b>32</b>
<b>Chapter 6</b>	Employees' Rights and Benefits ...	<b>45</b>
<b>Chapter 7</b>	International Labour Affairs .....	<b>54</b>
<b>Figures and Charts</b>	.....	<b>55</b>





# Chapter 1

## Highlights of Year 2023

**1.1** The labour market improved gradually in 2023 along with the local economic recovery. The seasonally adjusted unemployment rate declined from 3.5% in the fourth quarter of 2022 to 2.8% and 2.9% in the third and fourth quarters of 2023 respectively. The underemployment rate declined from 1.5% in the fourth quarter of 2022 to 1.0% in both the third and fourth quarters of 2023. For 2023 as a whole, the unemployment rate was 2.9%, 1.4 percentage points lower than that in 2022, and the underemployment rate also fell by 1.2 percentage points to 1.1%. We will continue to closely monitor the labour market situation and enhance our employment services on all fronts, especially in canvassing job vacancies and rendering assistance to job seekers.

## Employment Services

### Employment and Recruitment Services

**1.2** To help job seekers enter the labour market and respond speedily to the recruitment needs of employers, the Labour Department (LD) organises employment promotion activities at various locations across the territory. A total of 17 large-scale job fairs and 942 district-based job fairs were organised in the year.

**1.3** The LD adopts a proactive approach in providing employment assistance. In the year, the free recruitment service provided for employers by the LD recorded 1 174 702 job vacancies from the private and public sectors; and 153 488 placements were secured.

### Enhanced Supplementary Labour Scheme

**1.4** To alleviate the manpower shortage across different sectors, the LD launched the Enhanced Supplementary Labour Scheme (ESLS) on 4 September 2023 to enhance the coverage and operation of the Supplementary Labour Scheme, including suspending the general exclusion of 26 job categories as well as unskilled or low-skilled posts from labour importation for two years.

## Greater Bay Area Youth Employment Scheme

**1.5** The LD launched the regularised Greater Bay Area Youth Employment Scheme (GBA YES) in March 2023 to encourage enterprises to employ Hong Kong young people to work in the GBA Mainland cities, so as to foster their career development and the exchange of talents in GBA.

## Labour Relations

### Promoting Harmonious Labour Relations

**1.6** To foster harmonious labour relations, the LD adopts a proactive and pragmatic approach in helping employers and employees resolve their disagreements through communication and mutual understanding. In 2023, we handled a total of 65 labour disputes (each involving more than 20 employees) and 12 163 claims (each involving 20 or less employees). Over 70% of cases with conciliation service rendered were resolved. The average waiting time for conciliation meetings was 3.4 weeks in the year.



The Labour Department organised a wide range of promotional activities including exhibitions to promote public understanding of labour laws and publicise "employee-oriented" good human resource management measures

### Enhancing Good Human Resource Management Practices and Harmonious Labour Relations

**1.7** The LD organised a wide range of promotional activities including exhibitions, seminars and talks to promote public understanding of labour laws and publicise employee-oriented and good human resource management measures. In 2023, we continued the promotion of labour-management collaboration to encourage both sides to exchange views and enhance mutual understanding on labour issues of common concern.



# Employees' Rights and Benefits

## Statutory Minimum Wage (SMW)

- 1.8** The Minimum Wage Commission (MWC), established under the Minimum Wage Ordinance, is tasked with the main function of reporting to the Chief Executive (CE) in Council its recommendation about the SMW rate. The MWC comprises a chairperson and 12 members drawn from the labour sector, business sector, academia and the Government. The SMW rate was updated to \$40 per hour effective from 1 May 2023.
- 1.9** In January 2023, the CE invited the MWC to conduct a study on enhancing the review mechanism of the SMW. The MWC submitted the study report to the Government in October 2023. The Government would examine and consider the recommendations made by the MWC, and decide on the way forward for the review mechanism.

## Sustaining Vigorous Enforcement against Wage Offences

- 1.10** In 2023, the LD sustained its all-out efforts to combat wage offences. Territory-wide inspection campaigns targeted at offence-prone trades were launched by labour inspectors. Apart from proactive inspections to check compliance, we widely publicised our complaint hotline (2815 2200) and collected intelligence on non-payment of wages in various industries through an early warning system in collaboration with trade unions. We conducted prompt investigation into suspected wage offences so as to facilitate speedy prosecution.
- 1.11** We continued to take out prosecution against employers and responsible individuals of companies for wage offences. We also strengthened our 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.

## Vigorous Enforcement against Illegal Employment

- 1.12** The LD collaborated with the Police and the Immigration Department to combat illegal employment activities. A total of 40 joint operations were mounted in the year.

## **Abolition of the MPF Offsetting Arrangement**

**1.13** The Government announced that the abolition of the arrangement of employers using the accrued benefits of their mandatory contributions under the Mandatory Provident Fund System to offset their employees' severance payment (SP) and long service payment (LSP) would be implemented on 1 May 2025. A 25-year government subsidy scheme would be introduced to assist employers to adapt to the policy change.

## **Safety and Health at Work**

### **Major Public Works Projects (PWPs)**

**1.14** In light of the commencement of major PWPs (including major infrastructure projects), the LD continued to urge contractors to enhance construction site safety through stepping up inspection and enforcement, as well as promotion and education. These included conducting comprehensive and in-depth surprise inspections of major PWP sites with high risk processes or poor safety performance to scrutinise the safe system of work and safety management system of duty holders. We also continued to participate actively in site safety management committee meetings of major PWPs to more effectively and efficiently keep close tabs on the projects' occupational safety and health (OSH) conditions and risks, to offer OSH advice on work processes of higher risk and to urge the contractors and relevant duty holders to conduct risk assessments, devise safe working method statements and implement safety measures as early as possible. We also strengthened the coordination with the Development Bureau, works departments and other public works project clients to enhance the site safety measures of major PWPs, with a view to ensuring more effective control of risks by contractors. We also launched enforcement operations with the Marine Department on sea-based construction works to deter work practices from contravening safety requirements.

### **Renovation, Maintenance, Alteration and Addition (RMAA) Works**

**1.15** The volume of RMAA works is expected to grow further with the continuous ageing of buildings in Hong Kong and the erection of many new buildings.



- 1.16** The LD continued to step up inspection and enforcement efforts to monitor RMAA works and deter contractors from adopting unsafe work practices, so as to enhance the occupational safety condition of RMAA works. Territory-wide special enforcement operations (SEO) on RMAA works with emphasis on high risk processes, such as work-at-height, truss-out scaffolding works, lifting operations and electrical work were also launched. During the SEOs of 2023, 360 suspension/improvement notices were issued and 194 prosecutions were taken out. The LD has also stepped up area patrols to combat high-risk work processes of RMAA works, including unsafe work-above-ground activities and improper erection, dismantling or use of truss-out scaffolds.
- 1.17** On the fronts of education and promotion, we organised a series of intensive promotion and publicity campaigns, targeting RMAA works, as well as the related work-at-height and truss-out scaffolding works to strengthen the safety awareness of all parties involved. These included implementing a two-year publicity campaign in collaboration with the Occupational Safety and Health Council (OSHC) with a wide range of initiatives to impress upon different stakeholders, such as contractors and workers engaged in RMAA works as well as property owners, the importance of work safety more effectively. We also partnered with the Home Affairs Department to organise publicity and promotional activities to promulgate work safety at the district level.
- 1.18** In 2023, the LD organised in collaboration with the OSHC, Construction Industry Council and the Society of Registered Safety Officers, etc., a series of safety seminars concerning RMAA works to engage industry stakeholders in exploring means to further enhance construction safety. Given the occurrence of work-above-ground accidents involving small-scale renovation and repair works from time to time, the LD collaborated with the OSHC as well as the property management and construction industries to launch the “Promoting the Use of Light-duty Working Platforms Scheme Phase II”. Through property management companies, step platforms and hop-up platforms (light-duty working platforms) would be lent to the contractors and workers for conducting above-ground RMAA works in the estates or residential buildings free of charge, so that ladders would not be used for such work.

## Follow-up Investigations of Serious and Fatal Work Accidents

- 1.19** The LD is highly concerned about the serious and fatal work accidents that happened in 2023, including the fatal industrial accident involving a confined space in Tsim Sha Tsui. We commenced immediate on-site investigations as soon as we were notified of the accidents to identify the causes and recommend improvement measures. We also issued suspension notices to the relevant duty holders, suspending the work processes concerned until we were satisfied that measures to abate the relevant risks had been taken. We would ascertain the liability of the duty holders concerned and take actions pursuant to the law if there was any violation of the OSH legislation, including initiating prosecutions against relevant duty holders.
- 1.20** In addition, having considered the nature of different accidents, the LD launched a series of follow-up actions, for example, conducting targeted SEO and stepping up our enforcement efforts on construction sites by establishing several teams of Special Task Force. When it was reasonable to believe that carrying out certain work process may pose a considerable OSH risk, we would suspend relevant work activities immediately and issue advisory letters to duty holders/stakeholders concerned, urging them to take appropriate safety measures with a view to preventing recurrence of similar accidents. On the fronts of publicity and promotion as well as education and training, the LD in collaboration with the Construction Industry Council, OSHC and relevant organisations organised safety seminars after the occurrence of individual serious or fatal accidents to explain the accident-related statutory requirements and preventive measures to the industry.

## Safety Promotional Campaigns

- 1.21** With regard to the construction industry, to continue to improve its safety performance, the LD, in collaboration with the OSHC and related organisations, organised the "Construction Industry Safety Award Scheme" again to inculcate a work safety culture in the industry and to enhance the safety awareness of employers, employees and their families. The scheme featured a variety of activities which included safety performance competitions, roving exhibitions, safety quizzes and an award presentation ceremony. We also produced radio programmes and the making-of the Award Scheme, as well as broadcast Announcements in the Public Interest (APIs) and promotional films on television/radio and public transport.
- 1.22** In order to promote OSH of the catering industry, the LD launched the "Catering Industry Safety Promotional Campaign 2023/2024" in 2023 to enhance the work safety and health awareness of employers and employees of the industry.



## Strengthening Publicity of OSH Complaint Channels

**1.23** Through an online OSH complaint platform, the LD facilitates employees and members of the public to report unsafe working conditions with mobile electronic devices, so that the LD can conduct inspections in a more targeted manner and carry out prompt follow-up actions pursuant to the risk-based principle. The LD is promoting complaint channels through different publicity measures, including broadcasting relevant TV API/Radio API on TV/Radio stations; placing advertisements on newspapers, displaying advertisements at prominent locations and public transport; disseminating handy card holders printed with details of the complaint channels at the Service Centers of Workers Registration; and promulgating the information of complaint channels in Mandatory Safety Training Courses and the LD's OSH publications.

## Work Safety Alert Animation

**1.24** The LD continued to produce Work Safety Alert in the form of animation videos to enable the industry to better comprehend how some accidents happened and the necessary safety measures to be taken to prevent such accidents. Three animation videos were produced, and uploaded to the LD's website and disseminated through various channels in 2023. The LD continued to give sub-titles to the animation videos in different languages of diverse races in order to enhance the publicity and promotion targeting workers of diverse races.

## Continuous Refinement of Mandatory Safety Training (MST) Courses

**1.25** In 2023, the LD continued to refine the MST courses, including the mandatory basic safety training course (construction work) and MST courses of confined spaces operation to raise the workers' awareness of the causes and risks of accidents and their ability to eliminate these risks in order to prevent accidents. We also continued to conduct different modes of inspections to strengthen the monitoring of training course providers.

## Prevention of Heat Stroke at Work

**1.26** The LD published the "Guidance Notes on Prevention of Heat Stroke at Work" (GN) and launched the "Heat Stress at Work Warning" in May 2023 to facilitate the industries to take appropriate measures to safeguard employees against the risk of heat stroke at work. The LD also collaborated with the OSHC in relevant publicity and promotion work to help both employers and employees understand the GN and apply the recommendations in formulating necessary heat stroke preventive measures.

## Pilot Rehabilitation Programme for Employees Injured at Work

**1.27** Having regard to the enrolment situation of the “Pilot Rehabilitation Programme for Employees Injured at Work” (Pilot Programme) and the relevant data on reported work injuries, the LD considered it viable for the coverage of the Pilot Programme to be widened to include “catering and hotel industry” and “transportation and logistics industry” in addition to “construction industry”. The LD and the service contractor of the Pilot Programme commenced various preparatory work in the year with an aim to expanding Pilot Programme in the second quarter of 2024.

## Strengthening Local and International Partnerships

### Labour Day Reception

**1.28** On 28 April 2023, the Secretary for Labour and Welfare, Mr Chris Sun, hosted a reception at the Hong Kong Convention and Exhibition Centre to pay tribute to the workforce. The Chief Executive, Mr John Lee, officiated at the reception, with guests from trade unions, employer associations and other organisations attending.



The Chief Executive, Mr John Lee (centre), officiating at the Labour Day Reception

### Contacts with Other Labour Administrations

**1.29** The LD maintained liaison and interflows with other labour administrations through visits and participation in various activities in 2023.



**1.30** In June 2023, a tripartite team comprising representatives from the Government, employers and employees, led by the Secretary for Labour and Welfare, Mr Chris Sun, attended the 111th Session of the International Labour Conference in Geneva, Switzerland, as part of the delegation of the People's Republic of China.



The Secretary for Labour and Welfare, Mr Chris Sun (centre), and members of the tripartite team attending the 111th Session of the International Labour Conference in Geneva, Switzerland

**1.31** In July 2023, a delegation led by the Executive Vice-Chairman and Director General of the China Enterprise Confederation, Mr Zhu Hongren, visited the LD to understand the latest development of labour matters in the HKSAR.

**1.32** In October 2023, the Deputy Commissioner for Labour (Labour Administration), Mr Raymond Ho, led a delegation to visit the Labour Affairs Bureau of the Macao SAR Government to exchange views on issues relevant to importation of labour and the protection for employees.

**1.33** In November 2023, the Deputy Commissioner for Labour (Occupational Safety and Health), Mr Vincent Fung, led a delegation to attend the 23rd World Congress on Safety and Health at Work organised by the International Labour Organisation, the International Social Security Association and the SafeWork NSW in Sydney, Australia.

# Chapter 2

## Labour Department

**2.1** The Labour Department (LD) is the principal agency in the Hong Kong Special Administrative Region Government responsible for the execution and coordination of major labour administration functions. For details of our structure and services, please visit our website: [www.labour.gov.hk](http://www.labour.gov.hk).

## Vision, Mission and Values

### 2.2 Our Vision

We aspire to be a leading labour administrator in the region. Our aim is to enhance the well-being of our workforce progressively and to promote the safety and health of those at work at a pace commensurate with the socio-economic development of Hong Kong.

### 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 enforcement, 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
- Proactiveness
- Premier customer service
- Partnership
- Participation

# Key Programme Areas

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

## Labour Relations

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

## Safety and Health at Work

- To help employers and employees ensure that occupational safety and health risks at workplaces are properly controlled and minimised through inspection and enforcement, education and training, as well as publicity and promotion.

## Employment Services

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

## Employees' 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 Departmental 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 LD's overall strategy on publicity and public relations. It mounts extensive publicity and explains the policy and work of the LD to the public through the media, and coordinates the production of publications.

**2.9** The International Liaison Division oversees matters relating to the application of International Labour Conventions in Hong Kong, the LD's participation in the activities of the International Labour Organisation, and liaison with labour administration authorities in the Mainland and other places. It also provides secretariat support to the Labour Advisory Board (LAB).

- 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 in Appendix 2.1.
- 2.11** The Staff Training and Development Division is responsible for staff training and development of the Labour Administration Branch as well as coordinating training activities. The Registration and Staff Training Division organises and coordinates training and development activities for staff of the Occupational Safety and Health Branch.
- 2.12** The Information Technology Management Division offers support to the development and management of information technology services.
- 2.13** An organisation chart of the LD is set out in Appendix 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 LD's pledged services. For the LD's updated performance pledges, please visit the webpage: [www.labour.gov.hk/eng/perform/pledge.htm](http://www.labour.gov.hk/eng/perform/pledge.htm).

## Advisory Boards and Committees

- 2.15** The LD consults various advisory boards and committees on labour matters. The most important one is the LAB. It is a high-level and representative tripartite consultative body which gives advice on matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organisation. Chaired by the Commissioner for Labour, the LAB comprises members representing employees and employers. Its terms of reference, composition and membership for 2023-2024 are in Appendix 2.3.



# Chapter 3

## Labour Relations

### The Programme of Labour Relations

[www.labour.gov.hk/eng/labour/content.htm](http://www.labour.gov.hk/eng/labour/content.htm)

- 3.1** In Hong Kong, employer and employee relations are largely premised on the stipulations of labour laws, and the terms and conditions of employment agreed and entered into between the two parties. Employers and employees are free to form trade unions and participate in union activities. The objective of the Labour Relations Programme is to maintain and promote harmonious labour relations in establishments outside the government sector. We achieve this by:
- giving advice on matters relating to conditions of employment, requirements of relevant labour legislation, and good human resource management practices;
  - providing voluntary conciliation service to help employers and employees resolve their employment claims and labour disputes;
  - promoting understanding of labour laws and encouraging good human resource management practices;
  - adjudicating minor employment claims speedily through the Minor Employment Claims Adjudication Board (MECAB); and
  - registering trade unions and their rules, organising courses and conducting visits to 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 Minimum Wage Ordinance (MWO), the Labour Relations Ordinance (LRO), the Minor Employment Claims Adjudication Board Ordinance (MECABO) and the Trade Unions Ordinance (TUO).
- 3.3** The EO sets the basic standard on the conditions of employment that establishments outside the government sector have to meet. The MWO establishes a Statutory Minimum Wage regime. A set of procedures for settling labour disputes in establishments outside the government sector are provided for in the LRO. The MECABO establishes the machinery known as the 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 2023

## Key Indicators of Work

**3.4** Some key indicators of work of the Labour Relations Programme Area are contained in Appendix 3.1.

## Improvement to Employees' Benefits

**3.5** The Labour Advisory Board (LAB) agreed in principle to revise the "continuous contract" requirement under the EO by using the aggregate working hours of four weeks as the basis of calculation, and is deliberating on the working hour threshold. The Government would embark on the legislative amendment work after the LAB had reached a consensus on the review.

## Conciliation and Consultation Services

**3.6** Our conciliation and consultation services are conducive to maintaining harmonious industrial relations in Hong Kong. In 2023, we held 52 248 consultation meetings, and handled 12 163 claims (each involving 20 or less employees) and 65 labour disputes (each involving more than 20 employees). Over 70% of cases with conciliation service rendered were settled in the year (Appendices 3.2, 3.3, 3.4, 3.5, 3.6 and 3.7) .

## Strengthening Tripartite Cooperation

**3.7** The Labour Department (LD) runs nine industry-based tripartite committees, covering catering, cement and concrete, construction, hotel and tourism, logistics, printing, property management, retail and theatre industries, to promote tripartite dialogue and collaboration at the industry level with a view to fostering harmonious labour relations among employers, employees and the Government. These tripartite committees provide effective forums for members to discuss issues of common concern to their industries. Employment-related matters such as good human resource management, labour relations and employment situation of the industries, occupational safety and health as well as abolition of MPF offsetting arrangement were deliberated in the year.



Members of an industry-based tripartite committee discussed issues of common concern to their industry at a meeting

## Promotion of Good Employer-Employee Relations

**3.8** To enhance public understanding of the EO and to promote good human resource management culture, the LD organised various promotional activities and published free publications covering different themes for employers, employees, human resources professionals and the public. Relevant information was also disseminated through the LD's homepage and the media. We also widely publicised messages about good human resource management as well as statutory employment rights and protection through the extensive network of employers' associations and trade unions. Furthermore, we launched the Good Employer Charter 2024 to promote employers' adoption of good human resource management measures and implementation of family-friendly employment practices, so that the employed are able to fulfil both their work and family responsibilities.



The Labour Department published free publications covering different themes to enhance public understanding of the Employment Ordinance and to promote good human resource management culture





The Labour Department held the kick-off ceremony of the Good Employer Charter 2024, calling on employers to join the charter, and adopt good human resource management measures and implement family-friendly employment practices

**3.9** The LD organised experience-sharing sessions and briefings and published newsletters for members of 18 human resources managers' clubs established in different trades. We also published newspaper articles and comic strips, and placed advertisements in public transport network and periodic journals of major employers' associations and labour organisations to promote good human resource management. In the year, we launched a new set of TV and Radio Announcements in the Public Interest to encourage employers and employees to make prior work arrangements in times of adverse weather and "extreme conditions". Besides, to enhance the knowledge of ethnic minorities (EM) on the EO, promotional messages related to the EO were broadcast through radio programmes in EM languages, while "Employment Ordinance at a Glance" and other relevant publications in EM languages were distributed through the service centres of non-government organisations.



The Labour Department organised experience-sharing sessions and briefings for members of human resources managers' clubs established in different trades



## Adjudication of Minor Employment Claims

- 3.10** The MECAB provides a speedy, informal and less costly adjudication service for members of the public. The MECAB has jurisdiction to determine employment claims involving not more than 10 claimants for a sum not exceeding \$15,000 per claimant.
- 3.11** In 2023, the MECAB recorded 1 068 claims amounting to \$8,097,918 and concluded 1 066 claims with a total award of \$3,681,091.

## Regulation of Trade Unions

- 3.12** The Registry of Trade Unions (RTU) is responsible for administering the TUO and the Trade Union Registration Regulations, with a view to fostering sound trade union management and responsible trade unionism, ensuring trade unions' compliance with the law and their respective rules. Its major areas of work include registering trade unions and their rules, examining trade unions' annual statements of account and any other returns required by the law to be furnished to the RTU, conducting visits to trade unions and organising educational and promotional activities to enhance the understanding of trade union officers and paid staff on national security and trade union administration.
- 3.13** In 2023, the RTU completed 26 registrations of new trade unions (comprising 25 trade unions and one trade union federation). As at end-2023, trade unions registered under the TUO totalled 1 452 (comprising 1 377 employee unions, 12 employer associations, 47 mixed organisations of employees and employers and 16 trade union federations). Please refer to the following webpage for the key trade union statistics: [www.labour.gov.hk/eng/labour/content3.htm](http://www.labour.gov.hk/eng/labour/content3.htm).
- 3.14** In the year, the RTU examined 1 358 annual statements of account and conducted 406 visits to trade unions. The RTU organised courses to enhance the understanding of trade union officers and paid staff on national security, union management and trade union bookkeeping.

# Chapter 4

## Safety and Health at Work

### The Programme of Safety and Health at Work

[www.labour.gov.hk/eng/osh/content.htm](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 through the three-pronged strategy of inspection and enforcement, education and training, as well as publicity and promotion. More specifically, we achieve the objective by:

- providing a legislative framework to safeguard safety and health at work;
- enforcing 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 through inspection of workplaces to ensure that the requirements are complied with;
- investigating accidents and occupational health problems at workplaces and giving advice to employers and employees on how to reduce existing workplace hazards;
- offering advice to owners in the design and layout of workplaces, and in the implementation of safety programmes in workplaces;
- providing to employers, employees and the general public appropriate information and advice to promote knowledge and understanding of OSH; and
- organising promotional programmes and training courses to enhance safety awareness of the workforce.

**4.2** The OSHO protects employees' safety and health at work generally in all branches of economic activities. It is a piece of 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.

- 4.3** 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.
- 4.4** The BPVO aims at regulating the standards and operation of boilers and pressure vessels, including steam boilers, steam receivers and air receivers.

## Our Work and Achievements in 2023

### Work Safety Performance

- 4.5** Through the concerted efforts of all parties concerned, including employers, employees, contractors, safety practitioners, and the Government and public sector organisations, Hong Kong's work safety performance has been improving.
- 4.6** The number of occupational injuries in all workplaces in 2023 stood at 29 456, whereas the number in 2014 was 37 523. The injury rate per thousand employees was 10.1 in 2023, and the rate in 2014 was 12.8. The number of industrial accidents for all sectors was 8 134, and the number in 2014 was 11 677. The accident rate per thousand workers for all sectors was 13.8, and the rate in 2014 was 19.0.
- 4.7** In 2023, there were 3 097 industrial accidents in the construction industry, and the number in 2014 was 3 467. The accident rate per thousand workers in 2023 was 27.6, and the rate in 2014 was 41.9.

### Occupational Diseases

- 4.8** In 2023, there were 383 confirmed occupational disease and gas poisoning cases. The most common occupational diseases were occupational deafness, silicosis, mesothelioma and tenosynovitis of the hand or forearm.
- 4.9** For more statistics on the OSH, please visit the webpage: [www.labour.gov.hk/eng/osh/content10.htm](http://www.labour.gov.hk/eng/osh/content10.htm).

## Key Indicators of Work

**4.10** Some key indicators of work of this programme area are shown in Appendix 4.1.

## Raising Penalties for OSH Legislation

**4.11** The Occupational Safety and Occupational Health Legislation (Miscellaneous Amendments) Ordinance 2023 took effect upon gazettal on 28 April 2023 to increase overall the maximum penalties for OSH legislation, so as to enhance deterrent effect of legislation, prompting relevant duty holder to pay more attention to the precautionary measures for protection of employees' OSH.

## Inspection and Enforcement

**4.12** To ensure 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 and prevent accidents.

**4.13** We conduct promotional visits to give advice to employers on the prevention of accidents and encourage them to proactively adopt a self-regulatory approach in managing risks at the workplace. We also conduct enforcement inspections to various workplaces to ensure that duty holders have observed relevant statutory requirements stipulated in safety legislation. We adopt a risk-based approach to adjust the intensity of inspection and enforcement efforts from time to time to effectively combat violations.

**4.14** In 2023, we continued to place workplaces with poor safety performance under close surveillance. Improvement notices or suspension notices were issued when necessary to secure speedy rectification of irregularities, or to remove imminent risks to lives. In 2023, we also conducted 14 special enforcement operations targeting specific workplace hazards or workplaces with higher risk work processes, including new works; RMAA works; electrical works; bamboo scaffolding; sea-based construction works; the catering industry; waste management work; the logistic, cargo and container-handling industries as well as fire and chemical safety. In these 14 operations, a total of 17 015 workplaces were inspected, with 1 182 improvement notices and 51 suspension notices issued to duty holders, and 635 prosecutions initiated. Besides, we launched 42 in-depth surprise inspections to work sites with higher risk processes or poor safety performance. A total of 1 448 suspension/



improvement notices were issued and 367 prosecutions were initiated. In order to enhance safety performance of public work projects, representatives of the Labour Department (LD) participated in 459 site safety management committee meetings of public work projects and provided safety advice, particularly on work processes with relatively high risk, to the contractors and relevant duty holders.

- 4.15** We conduct investigations into complaints concerning unsafe conditions or malpractices in workplaces. In 2023, we handled 193 complaints lodged by workers and initiated 25 prosecutions arising from investigation of these cases. Through the intelligence reporting system on unsafe RMAA works developed with various strategic partners, a total of 8 607 complaint/referral cases were received. As a result of the follow-up inspections on these referral cases, we issued 257 suspension/improvement notices and took out 143 prosecutions.
- 4.16** To enable the conduct of inspections in a more targeted manner, the LD established an online OSH complaint platform to facilitate employees and members of the public to report unsafe working conditions using mobile electronic devices, so that the LD can conduct prompt follow-up actions. In 2023, the LD received a total of 1 232 OSH complaints through the platform. A total of 11 suspension notices and 140 improvement notices were issued and 72 prosecutions were/will be taken out by the LD upon discovery of breaches of OSH legislation from the above complaints.
- 4.17** In 2023, the LD continued to collaborate with the property management sector to implement the referral mechanism for RMAA works carried out in individual units of estates. Responsible property management personnel would notify the LD prior to the commencement of some high risk works (e.g. truss-out scaffolding works at external wall), thus enabling the LD to conduct targeted safety inspections in a timely manner.
- 4.18** In 2023, the LD continued to carry out enforcement operations and publicity campaigns targeting workplaces with a higher risk of heat stroke. These workplaces include construction sites, outdoor cleansing workplaces, horticulture workplaces and container yards. In the special enforcement operation from May to October, we conducted a total of about 21 000 surprise inspections and issued about 1 000 warnings.

- 4.19** Targeting health risks of standing at work, the LD conducted inspections at workplaces of various industries in 2023, including those of the catering, retail, property management and hotel industries. The LD conducted 265 surprise inspections in these workplaces and issued one warning.
- 4.20** The Commissioner for Labour, as the Boilers and Pressure Vessels Authority, recognises competent inspection bodies to assess and inspect new pressure equipment during manufacturing. In addition, the LD conducts examinations, monitors courses for training of competent persons and issues certificates of competency to qualified candidates as competent persons for various types of boilers and steam receivers. In 2023, 507 applications for certificates of competency were processed, with 504 certificates issued/endorsed. We also advised the Fire Services Department on matters related to the approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.
- 4.21** As at end-2023, the LD recorded a total of 242 758 workplaces, including 35 275 construction sites. In the year, 141 996 inspections were conducted under the OSHO, the FIUO and their subsidiary regulations. As a result, 32 279 warnings and 5 576 suspension or improvement notices were issued. Besides, 4 657 inspections were made under the BPVO. 2 531 warnings were given and 13 prohibition orders on the use and operation of boilers and pressure vessels were issued. We also carried out 19 064 and 2 328 investigations on work accidents and suspected occupational diseases/ occupational health problems respectively. We also conducted 6 071 occupational hygiene surveys on workplace health hazards.

## Education and Training

- 4.22** We provide training-related services to employers, employees and relevant parties to foster an OSH culture among the working population. They include provision of training courses, recognition of Mandatory Safety Training (MST) courses and registration of safety officers and safety auditors.

**4.23** In 2023, we organised 550 safety and health training courses related to relevant legislation for 2 434 persons and 495 tailor-made talks to individual industries or organisations for another 56 004 persons. We also recognised 14 mandatory basic safety training courses (commonly known as “green card” courses) for construction and container-handling work, five MST courses for confined space operation, one MST course for operators of crane and three MST courses for operators of loadshifting machine. We also continued to refine the MST courses, and reviewed the mandatory basic safety training course (construction work) and MST courses of confined spaces operation, with a view to raising workers’ awareness of the causes and risks of accidents and their ability to eliminate these risks in order to prevent accidents. We have a system in place to monitor these MST courses. We conducted different modes of monitoring inspections, including surprise inspections and covert inspections which involved inspecting officers in the guise of a course participant, to ensure that the courses were delivered in accordance with the course contents.



Industry stakeholders united at the 27th Boilers and Pressure Vessels Safety Seminar

**4.24** In 2023, we registered 122 persons as safety officers and 71 as safety auditors. As at the end of the year, there were 4 118 safety officers with valid registration and 1 650 registered safety auditors. Furthermore, a total of 873 applications for renewal or revalidation of registration as safety officers were approved in 2023.

**4.25** Occupational health education raises employers' and employees' awareness of the prevention of occupational health hazards and occupational diseases. In 2023, we organised a total of 1 166 health talks on various occupational health issues for over 57 188 participants. Apart from open health talks, we also conducted outreaching health talks at the workplaces of individual organisations. These health talks covered various occupations with more than 40 different topics such as Occupational Health for Office Workers, Manual Handling Operations and Prevention of Back Injuries, Occupational Health for Cleansing Workers, Prevention of Lower Limb Disorders and Occupational Health in Catering Industry.

**4.26** The LD uploaded Work Safety Alerts and Systemic Safety Alerts on the LD's website respectively to help raise the safety awareness of employers, contractors and workers and to urge Registered Safety Officers and Registered Safety Auditors to apply safety management principles in exercising their statutory functions to advise their employers/clients to fulfill their safety responsibilities and render the necessary assistance. Work Safety Alerts summarised recent fatal and serious work accidents, and highlighted general safety precautionary measures whereas Systemic Safety Alerts provided accident prevention measures arising from the major systemic problems. In 2023, the LD revised the Systemic Safety Alert "Use of Mobile Cranes". In 2023, we continued to produce Work Safety Alerts in the form of animation videos to enable the industry to better comprehend how accidents happened and the necessary precautionary measures to be taken for preventing recurrence of similar accidents. Three animation videos on various topics, including machinery safety, confined spaces work safety and metal gate safety, were uploaded to the LD's website and widely disseminated through different channels. Furthermore, the LD continued to translate sub-titles of the Work Safety Alerts animation videos into different languages (including Hindi, Nepali, Tagalog and Urdu) to facilitate construction workers of diverse races to comprehend the OSH information.

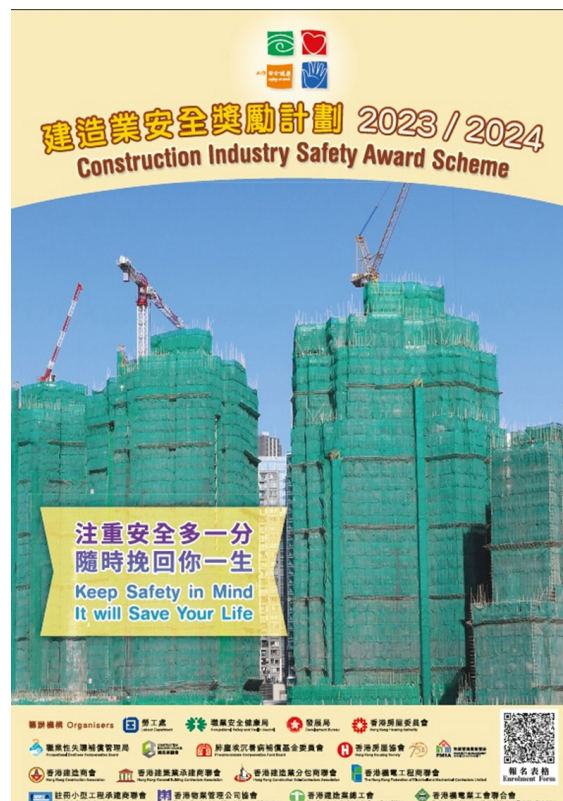
## **Publicity and Promotion**

**4.27** We held a series of promotional campaigns in 2023 to heighten safety awareness among employers and employees and to cultivate a positive safety culture at the workplaces, with some jointly organised with relevant stakeholders such as the OSHC, trade associations, workers' unions and other government departments.



**4.28** Since the Occupational Safety and Occupational Health Legislation (Miscellaneous Amendments) Ordinance 2023 came into operation on 28 April 2023, the LD rolled out comprehensive publicity campaigns including launching a set of newly-produced television and radio Announcements in the Public Interest (APIs) and a poster to strengthen promotion of the new penalties. We also publicised the regulations through the LD’s website, the “Work Safety Alert” mobile application and emails etc., as well as collaborated with the industries to jointly organise talks to alert the industries and members of the public on the new penalties for OSH offences.

**4.29** In 2023, the LD launched the “Catering Industry Safety Promotional Campaign 2023/2024” and organised activities including “Catering Industry Safety Video Competition” and “Catering Industry Safety Quiz Competition”. We also widely disseminated catering safety messages through different channels such as mobile media, TV panels of catering establishments and large outdoor LED display panels. With regard to the construction industry, the LD in collaboration with the OSHC and related organisations in the construction industry organised the “Construction Industry Safety Award Scheme 2023/2024” to raise the safety and health awareness of contractors, personnel and workers of construction sites, foster a positive safety culture; and encourage the adoption of safe work practices. The LD also organised an open competition to recognise contractors, site personnel and workers for their good OSH performances, with a view to enhancing public understanding on construction safety.



Construction Industry Safety Award Scheme 2023/2024



The Labour Department disseminated catering industry safety messages through LED display panel mounted on the external walls of buildings

**4.30** In 2022, the LD in collaboration with the OSHC, launched a two-year publicity campaign from 2022 to 2024 for heightening the publicity and promotion targeting new works and RMAA works. Through a wide range of initiatives, for examples, lunchtime on-site safety talks, seminars, sponsorship schemes, roving exhibitions, etc., we seek to reach different stakeholders of new works and RMAA works, including contractors and workers, in particular the new comers, workers of diverse races and property owners, etc., to raise their work safety and health awareness.

**4.31** Accidents in RMAA works have become a source of concern in recent years. With a view to reminding contractors and workers to pay extra attention to safety while carrying out truss-out scaffolding work and working at height, the LD in collaboration with the OSHC launched eight safety seminars on RMAA works, truss-out scaffolding, accident analysis in relation to electrical and mechanical works, causes of fatal accidents at construction sites/ briefs of relevant legislations and work-at-height safety in 2023. Other major publicity activities included broadcasting APIs on television/radio/mobile media, staging roving exhibitions, publishing feature articles in newspapers and on the LD's website, publishing leaflets and disseminating safety messages to contractors, employers and employees through various means.



**4.32** In mid-December 2023, the LD in collaboration with the OSHC launched a series of five promotional videos with the themes of “truss-out bamboo scaffolds”, “OSH Star Enterprise Scheme”, “electrical work”, “the revised OSH legislation” and “general potential work hazards in construction sites”. To enhance publicity effect, the LD launched a new round of publicity work, which included showing promotional videos in public transport and screens on the external walls of shopping malls, broadcasting radio programme and displaying promotional banners at main road tunnel portals and on bus bodies, etc., to strengthen the publicity of OSH messages.



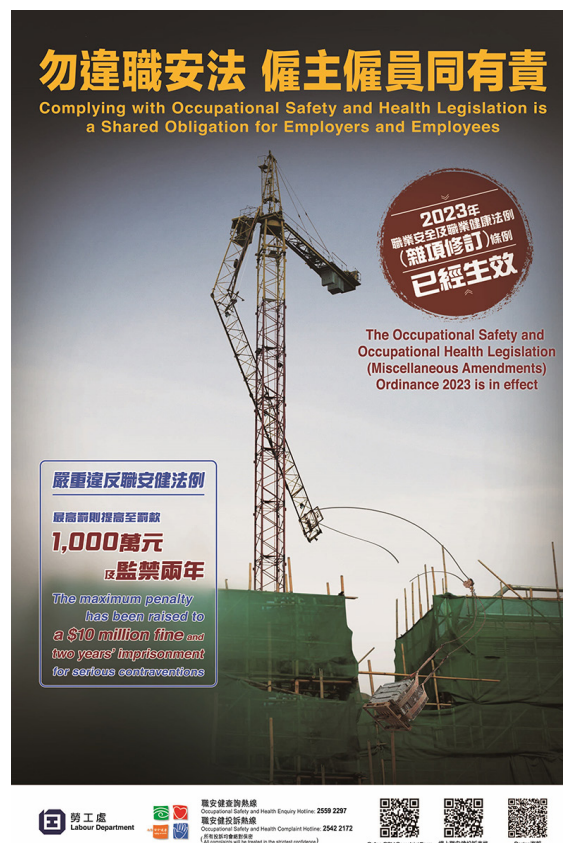
The Labour Department disseminated OSH messages through public transports

- 4.33** In respect of occupational health, the LD also collaborated with OSHC and other relevant organisations, including the Occupational Deafness Compensation Board, the Pneumoconiosis Compensation Fund Board, employers' associations, trade unions and community groups, in promoting occupational health as well as prevention of occupational diseases (e.g. occupational deafness and pneumoconiosis) and work-related diseases (e.g. musculoskeletal disorders which are common among workers of service industry, clerical personnel and manual workers). This was achieved through a variety of activities such as organising occupational health award, holding health talks and distributing promotional materials, etc. In addition, we continued to run the "Heart Caring Campaign" jointly with the OSHC. Through health risk assessment, dissemination of healthy lifestyle information and various promotional activities, the Campaign encouraged employees in the property management and construction industries to develop habits of healthy living with a view to preventing cardiovascular and cerebrovascular diseases. We also continued to co-organise the "Joyful@Healthy Workplace" programme and the "Mental Health Workplace Charter" with the Department of Health and the OSHC, and encouraged employers to participate in the programmes, in order to promote a health-friendly working environment and foster physical and mental well-being of employees.
- 4.34** In view of the increasingly hot weather in recent years, the LD published the "Guidance Notes on Prevention of Heat Stroke at Work" (GN) and introduced the "Heat Stress at Work Warning" in May 2023, and collaborated with the OSHC in a series of related publicity activities. These included about 100 seminars organised with the OSHC and other organisations to introduce the new GN and help the industries apply the recommendations in the GN to formulate appropriate heat stroke preventive measures. In addition, from May to October 2023, we co-organised a large-scale promotion campaign on heat stroke prevention with the OSHC again. Through distribution of heat stroke prevention items and extensive publicity, the campaign reminded employers and employees to prevent heat stroke at work. The Portable Waist Fan Sponsorship Scheme for SMEs was also relaunched to sponsor SMEs of the targeted industries to purchase portable and safety compliant waist fans for employees' use at work as necessary.



**4.35** Moreover, in light of the experience gathered from the investigation of previous accidents involving confined space works and the views of relevant stakeholders, the LD embarked on revising the "Code of Practice – Safety and Health at Work in Confined Spaces" (Code) to strengthen the protection of the safety and health of relevant workers. The revisions would include some new requirements, such as the use technological equipment to shoot videos at the entrances and exits of confined spaces throughout the work period to strengthen supervision of relevant personnel in complying with safety measures. The LD planned to issue the revised Code in the first half of 2024.

**4.36** In 2023, the LD published 19 revised/new OSH publications and posters, including "A Casebook of Occupational Fatalities related to Renovation and Maintenance Works", "Safety in the Use of Abrasive Wheels", "Guide on Construction and Work Safety of Truss-out Bamboo Scaffolds", "Brief Analysis of Accident Cases in the Catering Industry - Chinese Restaurant (Chinese only)", "Overview of Work-at-Height Safety", "A Casebook of Fatal Accidents Related to Electrical Work – Volume 1 (Chinese only)", "Guidance Notes on Prevention of Heat Stroke at Work", "Complying with Occupational Safety and Health Legislation is a Shared Obligation for Employers and Employees" poster, "Always Store, Use and Maintain Your Tools Properly" poster, "Be a Considerate Employee Comply with Occupational Safety Laws to Avoid Criminal Liability" poster and "Prevention of Streptococcus Suis Infection" poster for promoting work safety and health.



Poster: "Complying with Occupational Safety and Health Legislation is a Shared Obligation for Employers and Employees"

- 4.37** Besides, we published the “Always Store, Use and Maintain Your Tools Properly” poster in six languages (Indonesian, Hindi, Nepali, Tagalog, Thai and Urdu) and two OSH publications in three languages (Hindi, Nepali and Urdu), namely “A Casebook of Occupational Fatalities related to Renovation and Maintenance Works” and “Safety in the Use of Abrasive Wheels”, with a view to enhancing the safety awareness of workers of diverse race.
- 4.38** In 2023, the Occupational Safety and Health Branch handled 9 667 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to employers and workers.
- 4.39** The LD collaborated with the property management sector to promote RMAA work safety and to step up the promotion of work-at-height safety to stakeholders, including contractors and workers, on the use of suitable working platforms instead of ladders for working above ground and the use of safety helmets with chin straps. We collaborated with the OSHC as well as the property management and construction industries to launch the “Promoting the Use of Light-duty Working Platforms Scheme Phase II”. Through the property management companies, step platforms and hop-up platforms (light-duty working platforms) would be lent to the contractors and workers conducting RMAA works in the estates or residential buildings free of charge to encourage them to use light-duty working platforms for above-ground works instead of ladders. More than 600 eligible applications were received with about 1 600 light-duty working platforms provided.
- 4.40** Using straight ladders or A-ladders for work-at-height carries a lot of risk. In the past, there were several fatal accidents which involved workers falling from these ladders. In order to enhance the safety awareness of employers and workers in work-at-height, the LD collaborated with the OSHC to continue with the Enhanced Light-duty Working Platform Sponsorship Scheme for SMEs by subsidising small and medium enterprises (SMEs) to purchase enhanced step platforms and hop-up platforms for above-ground work. As at December 2023, 1 814 applications were received with 1 613 approved, benefiting over 25 699 workers. To further enhance work-above-ground safety, a brand new Telescopic Scaffold Tower Sponsorship Scheme for SMEs will be launched in January 2024.
- 4.41** The LD collaborated with the OSHC to ride on the Home Affairs Department’s community platforms to promote RMAA work safety particularly work-at-height safety, to owners’ corporations, property owners and tenants, etc.

**4.42** To promote safety awareness of the industry in operating boilers and pressure vessels, we distributed around 1 900 publications and leaflets regarding registration and safe operation of pressure equipment.

### **Clinical Occupational Health Services**

**4.43** The LD runs occupational health clinics in Kwun Tong and Fanling, providing clinical consultations, medical treatment as well as occupational health education and counselling services for workers suffering from work-related and occupational diseases. Workplaces of the patients are inspected if necessary to identify and evaluate occupational health hazards in the work environment.

**4.44** In 2023, 13 043 clinical consultations were rendered. Moreover, patient support groups were organised to help patients achieve more desirable rehabilitation progress through health talks, experience sharing and peer support.

# Chapter 5

## Employment Services

### The Programme of Employment Services

[www.labour.gov.hk/eng/service/content.htm](http://www.labour.gov.hk/eng/service/content.htm)

- 5.1** The objective of the Employment Services Programme is to provide comprehensive and free employment assistance and recruitment services to help job seekers find suitable jobs and employers fill their vacancies. We achieve this by:
- providing user-friendly employment and recruitment services to job seekers and employers;
  - offering dedicated employment-related assistance and personalised services 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
  - processing applications under the Supplementary Labour Scheme/ Enhanced Supplementary Labour Scheme and ensuring employment priority for local workers in filling vacancies under the scheme.
- 5.2** The principal legislation administered by this programme area includes Part XII of the Employment Ordinance (EO), the Employment Agency Regulations made under the EO and the Contracts for Employment Outside Hong Kong Ordinance (CEOHKO).
- 5.3** Part XII of the EO, together with the Employment Agency Regulations, regulates the operation of employment agencies in Hong Kong through licensing, inspection, investigation and prosecution.
- 5.4** The CEOHKO safeguards the interests of local manual employees and those non-manual employees with monthly wages not exceeding \$20,000 who are employed by employers outside Hong Kong to work in other territories through the attestation of employment contracts of these persons.



# Our Work and Achievements in 2023

## Employment Situation in Hong Kong

**5.5** The labour market improved in 2023 along with the local economic recovery. The seasonally adjusted unemployment rate declined from 3.5% in the fourth quarter of 2022 to 2.8% and 2.9% in the third and fourth quarters of 2023. The underemployment rate declined from 1.5% in the fourth quarter of 2022 to 1.0% in both the third and fourth quarters of 2023. For updated statistics on the labour force, unemployment rate and underemployment rate, please visit the webpage: [www.censtatd.gov.hk/en/web\\_table.html?id=6](http://www.censtatd.gov.hk/en/web_table.html?id=6).

**5.6** The Labour Department (LD) recorded 1 171 645 vacancies offered by employers of the private sector for free recruitment service in 2023. In the year, a total of 153 488 placements were secured (Appendices 5.1 and 5.2).

## A Wider Service Choice

### Job Centres

**5.7** Job seekers can browse vacancies at job centres of the LD and seek referral service provided by the staff or apply to the employers direct. Job seekers can meet with employment officers to obtain personalised employment advisory services. Employment officers will also assist job seekers to join the employment programmes of the LD. Various facilities such as digital display system, touchscreen vacancy search terminals, fax machines, toll-free telephones, computers connected to the Internet and resource corners are available for the use by job seekers.

### Industry-based Recruitment Centres

**5.8** The three industry-based recruitment centres of the LD, namely the Recruitment Centre for the Catering Industry, the Recruitment Centre for the Retail Industry and the Construction Industry Recruitment Centre, provide free as well as one-stop and on-the-spot recruitment services for employers and job seekers, enhancing the efficiency of recruitment and job search.

## Telephone Employment Service

**5.9** Job seekers registered at the LD may call our Telephone Employment Service Centre on 2969 0888 for job referral service. Through conference calls, staff of the centre can make arrangement for job seekers to talk to employers direct.

## Online Employment Services

**5.10** The LD's Interactive Employment Service (iES) website ([www.jobs.gov.hk](http://www.jobs.gov.hk)) provides round-the-clock online employment services and comprehensive employment information. The iES website is the most popular government job board in Hong Kong, recording around 390 million page views in 2023. It hosts a number of thematic webpages to provide dedicated employment information for specific clientele. Job seekers can also use the iES mobile application anytime and anywhere to look for suitable vacancies in the job vacancy database of the LD and receive notifications on newly posted vacancies matched by the system according to their pre-set search criteria. The mobile application recorded around 258 million hit counts in 2023.

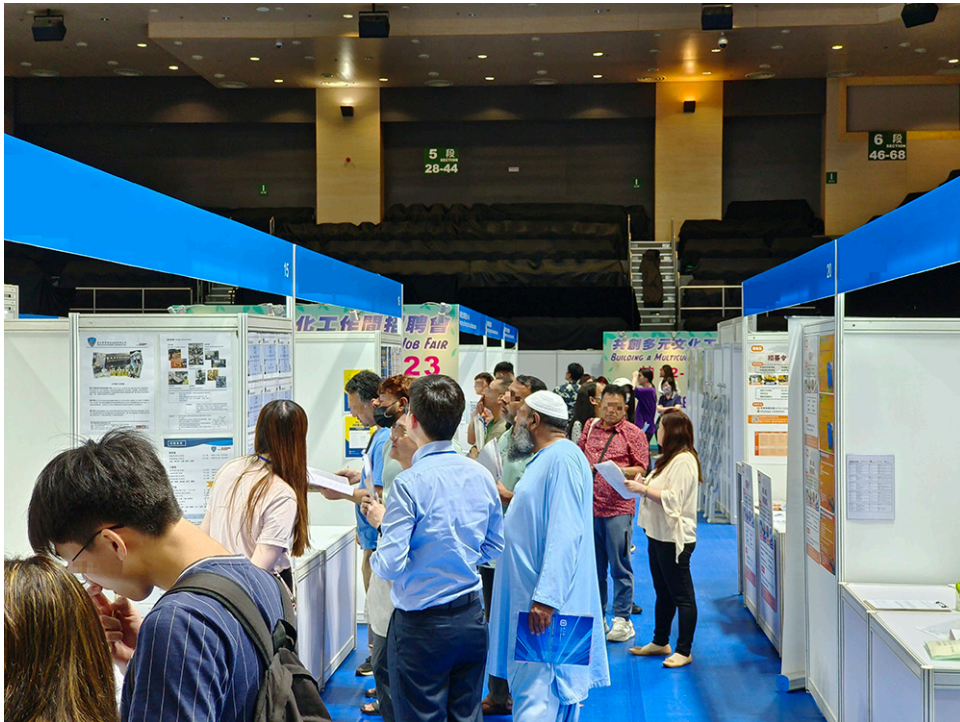
## Job Vacancies

**5.11** Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or through the Internet ([www.jobs.gov.hk](http://www.jobs.gov.hk)). The vacancy information is then disseminated through a network of job centres, three recruitment centres for the catering, retail and construction industries, the iES website and mobile application as well as vacancy search terminals located in various sites throughout the territory after vetting.

## Recruitment and Promotional Activities

**5.12** The LD organises a variety of activities to promote our employment services and appeal for vacancies from employers. Job fairs are held to facilitate job seekers and employers to meet and communicate direct. Apart from large-scale job fairs, district-based job fairs are held at job centres to assist employers to recruit residents in the locality and to enable job seekers to participate in job interviews without having to travel long distance.

**5.13** The LD fully resumed the organisation of job fairs after the COVID-19 epidemic had stabilised. In the year, 17 large-scale job fairs were held, attracting over 26 000 job seekers. At the same time, 942 district-based job fairs were organised, with over 20 000 on-the-spot interviews arranged.



Large-scale job fairs of the Labour Department received favourable response from job seekers

## Services provided for targeted groups

### Elderly and Middle-aged Job Seekers

**5.14** The LD provides dedicated employment services for the elderly and middle-aged persons and promote their employment through various means such as setting up special counters at job centres to provide priority registration and job referral service for the elderly and middle-aged job seekers, conducting employers' experience-sharing sessions, and organising employment briefings and job fairs targeting the elderly and middle-aged persons.

**5.15** In addition, the LD implements the Employment Programme for the Elderly and Middle-aged (EPEM) to encourage employers to hire the elderly and middle-aged and provide them with on-the-job training (OJT) through the provision of OJT allowance. Employers engaging job seekers aged 60 or above who are unemployed or have left the workforce are offered a monthly training allowance of up to \$5,000 per employee for six to 12 months. Those who engage unemployed job-seekers aged 40 to 59 are offered an allowance of up to \$4,000 per month per employee for three to six months. The EPEM covers both full-time and part-time jobs. There were 3 873 placements eligible for joining the programme in 2023.

## New Arrival and Ethnic Minority Job Seekers

- 5.16** The LD's job centres provide comprehensive employment services to new arrival and ethnic minority job seekers. These include employment advisory services, job referral, employment briefing and information resources. The job seekers in need are encouraged to participate in various employment programmes to enhance their employment opportunities.
- 5.17** The LD implements the "Employment Services Ambassador Programme for Ethnic Minorities" to employ trainees of the Youth Employment and Training Programme who can communicate in ethnic minority languages to work as Employment Services Ambassadors at job centres, industry-based recruitment centres and job fairs. Moreover, the LD in 2023 employed 21 more ethnic minorities as employment assistants and general assistants to strengthen employment and related support for the ethnic minorities communities. To enhance the employment opportunities of the ethnic minorities, two large-scale and 12 district-based inclusive job fairs were respectively organised in 2023.
- 5.18** In November 2023, the LD launched the regularised Racial Diversity Employment Programme, commissioning non-governmental organisations to provide one-stop employment services for ethnic minority job seekers through a case management approach. In 2023, the programme served 255 ethnic minority job seekers and recorded 129 placements.



Employment services provided for targeted groups



## Work Trial Scheme (WTS)

**5.19** The WTS seeks to enhance the employment opportunities of job seekers who have difficulties in finding jobs. There is no age limit for applicants. Participants take up jobs offered by participating organisations during the one-month work-trial with no employer-employee relationship. On completion of the one-month full-time work trial, the maximum allowance payable to each participant is \$9,600, while the allowance for part-time work trial is calculated at an hourly rate of \$57. Of this allowance, \$500 are contributed by the participating organisation. In 2023, 211 job seekers were placed into work trials.

## Workers Affected by Large-scale Retrenchment

**5.20** In major business closure or redundancy cases, the LD sets up hotlines for enquiry and special counters at job centres to provide special employment services to affected employees. We canvass suitable vacancies from employers to facilitate job search of the affected employees. In addition, under our iES website, a dedicated webpage displays vacancies offered by employers interested in recruiting job seekers who have lost their jobs in recent closure or redundancy exercises. This helps the affected employees find suitable jobs more effectively. In the year, we offered such special employment services to some 3 300 affected employees.

## Job Seekers with Disabilities

**5.21** The Selective Placement Division (SPD) offers employment assistance to job seekers with disabilities who are fit for open employment. Employment consultants provide personalised employment services, including employment counselling, job matching and referral as well as post-placement follow-up services. In 2023, the SPD registered 2 840 job seekers with disabilities and secured 2 406 placements (Appendix 5.3).

## Work Orientation and Placement Scheme (WOPS)

**5.22** The WOPS facilitates open employment of persons with disabilities by encouraging employers to engage persons with disabilities and render them with coaching and support through the provision of an allowance. The maximum allowance payable under WOPS to an eligible employer for engaging each person with disabilities having employment difficulties during the nine-month allowance period totalled \$60,000. In 2023, WOPS recorded 1 185 placements.

## Self Help Integrated Placement Service (SHIPS)

**5.23** The SHIPS aims at improving the job searching skills of job seekers with disabilities and encouraging them to be more proactive in job hunt, thereby enhancing their employment opportunities. In 2023, 319 job seekers with disabilities participated in the programme.

## Interactive Selective Placement Service (iSPS) Website

**5.24** The iSPS website ([www.jobs.gov.hk/isps](http://www.jobs.gov.hk/isps)) provides employment services for job seekers with disabilities and employers. The website enables persons with disabilities to register with the SPD, browse job vacancy information and perform preliminary job matching. It also enables employers to place vacancy orders, identify suitable job seekers with disabilities to fill their vacancies and request the SPD to refer candidates to them for selection interview.

## Promotional Activities

**5.25** To enhance public understanding of the work abilities of persons with disabilities as well as to publicise the services of the SPD and the WOPS, the SPD conducted a series of promotional activities, such as staging exhibitions, producing publications and advertisements, broadcasting promotional videos, and publicising promotional messages through newspapers, publications of employers' associations, radio and television channels, public transport network, wall banners and mobile application advertisements during the year. In addition, a large-scale seminar was held for employers and human resources practitioners. Promotional visits were paid to employers of different trades and publicity materials were sent to them to canvass more job vacancies for persons with disabilities.



The Labour Department and the Chinese Manufacturers' Association of Hong Kong co-organised a large-scale seminar to promote employment of persons with disabilities

# Services for Young People

## Greater Bay Area Youth Employment Scheme

**5.26** The LD launched the regularised scheme in March 2023 to encourage enterprises with business in both Hong Kong and the Greater Bay Area (GBA) Mainland cities to employ Hong Kong young people to work in the GBA Mainland cities, so as to foster their career development and the exchange of talents in GBA. Enterprises should employ the young people who were awarded a bachelor's degrees or above in 2021 to 2023 in accordance with Hong Kong laws with a monthly salary of not less than HK\$18,000. The LD provided enterprises with a monthly allowance of HK\$10,000 for each young person employed up to 18 months.

**5.27** In the year, the LD established the GBA Youth Employment Division to take charge of the implementation of the scheme. The LD also commissioned organisations with rich experience to strengthen the support for young people employed under the scheme. In 2023, the scheme recorded a total of 2 540 job vacancies from 278 enterprises and 718 notifications of employment.



The Labour Department, together with the Human Resources and Social Security Department of Guangdong Province and the Hong Kong and Macao Affairs Office of the People's Government of Guangdong Province, held the Welcoming Ceremony for Young People employed under the Greater Bay Area Youth Employment Scheme in Guangzhou on 13 September 2023

## Youth Employment and Training Programme (YETP)

- 5.28** To enhance the employability of young people, the LD administers the YETP, a “through-train” programme providing seamless and comprehensive training and employment support to young people aged 15 to 24 with educational attainment at sub-degree level or below.
- 5.29** Trainees can enrol on a year-round basis and are entitled to a full range of services, including training courses, one-month workplace attachment training, OJT of six to 12 months, reimbursement of off-the-job course and examination fees up to \$4,000 per trainee, as well as case management services rendered by registered social workers. Employers who engage trainees and provide them with OJT are entitled to a maximum OJT allowance of \$5,000 per month per employee for six to 12 months.
- 5.30** The LD strengthened the collaboration with the Employees Retraining Board (ERB) effective from April 2023. The ERB offered diversified pre-employment training to YETP trainees to enhance their competitiveness in the job market. The YETP also raised the rate of training allowance payable to trainees to a maximum of \$241 per day and the workplace attachment training allowance to \$7,300 per month in April and July respectively, with a view to further encouraging young people to receive pre-employment training and workplace attachment training.
- 5.31** In the 2022/23 programme year running from September 2022 to August 2023, 1 253 YETP trainees attended training courses and 1 341 OJT placements were secured under the YETP.
- 5.32** The YETP collaborates with service providers and individual employers or employers of specific sectors to launch special employment projects, providing tailor-made pre-employment training and OJT for young people. In the 2022/23 programme year, nine special employment projects and 64 job fairs were organised, involving employers in the banking, retail, catering, aviation as well as construction and engineering industries, etc. Moreover, a large-scale “Youth Recruitment Day”, offering more than 2 000 OJT vacancies for young job seekers, was held in June.



**5.33** In August, the LD co-organised the Award Ceremony of YETP Most Improved Trainees 2023 cum Concert with Radio Television Hong Kong. The event, themed “Fly with YETP”, showcased the improvements of trainees after joining the YETP and commended the caring efforts of service providers and employers. Trainees’ successful experience constituted the best encouragement to their peers. It was also a sterling testimony to the achievements of trainees, service providers, employers and the Government in nurturing the development of the young generation.



The awardees of the Most Improved Trainees of the Youth Employment and Training Programme 2023

**5.34** The YETP continued to operate the “Career Kick Start” project in 2023 to offer OJT of 12 months’ duration to young people with special employment needs through placements in NGOs with a view to enhancing their employability. The subsidy to NGOs was increased from \$9,000 to \$9,600 per month per trainee. Participating NGOs are encouraged to assist trainees in securing full-time jobs in the open employment market by the provision of Placement Incentive.

## Youth Employment Start

**5.35** The LD operates two youth employment resource centres named Youth Employment Start. The centres provide personalised advisory and support services on employment and self-employment to young people aged between 15 and 29 to facilitate them to map out their career path, enhance their employment opportunities and support them to pursue self-employment. Services provided include career assessment, career guidance, professional counselling, value-adding training, self-employment support as well as up-to-date labour market information. In 2023, the number of services provided to young people by the two centres totalled 63 610.



The Labour Department participated in the "29th Hong Kong International Education and Careers Expo"

## Working Holiday Scheme (WHS)

- 5.36** Since 2001, Hong Kong has established bilateral WHS with 13 economies, namely New Zealand, Australia, Ireland, Germany, Japan, Canada, Korea, France, the United Kingdom, Austria, Hungary, Sweden and the Netherlands. The scheme provides an opportunity for Hong Kong youths aged between 18 and 30 to broaden their horizons, allowing them to experience foreign culture through living and working temporarily while holidaymaking overseas. At the same time, youths of our partner economies may also learn more about Hong Kong through the scheme.
- 5.37** A majority of partner economies allow Hong Kong youths to stay in their economies for up to 12 months and take up short-term employment to subsidise their expenses, and/or study short-term courses (except for Ireland) while holidaying.
- 5.38** The WHS has been well received among young people. As at end-2023, more than 103 000 Hong Kong youths participated in the scheme, while more than 16 200 youths from the partner economies came to Hong Kong under the scheme. The LD will continue to enhance the publicity of this scheme, and explore with more economies to establish new WHS or expand existing bilateral arrangements, in order to provide more choices and opportunities for Hong Kong youths to participate in the scheme.

## Regulating Local Employment Agencies and Employment outside Hong Kong

- 5.39** The LD regulates employment agencies in Hong Kong through licensing, inspection, complaint investigation and prosecution. In 2023, we issued 3 833 employment agency licences and revoked or refused to issue/renew five licences. As at end-2023, there were 3 655 licensed employment agencies in Hong Kong. A total of 2 010 inspections were made by the LD officers to employment agencies in the year.
- 5.40** We promulgate the Code of Practice for Employment Agencies (the Code) for compliance by the industry with a view to promoting professionalism and service quality in the industry. At the same time, the dedicated Employment Agencies Portal ([www.eaa.labour.gov.hk](http://www.eaa.labour.gov.hk)) provides employment agency operators and staff, job seekers, employers and other members of the public with updated information related to the regulation of employment agencies. The portal also publishes the records of conviction of the offences of overcharging and unlicensed operation, revocation or refusal of renewal of licence and written warnings issued for non-compliance with the Code, so as to assist members of the public in making informed decisions when engaging the services of employment agencies. The enhanced transparency also helps foster the adoption of good practices by the industry.
- 5.41** The LD also safeguards the interests of local employees employed by employers outside Hong Kong to work in other territories by attesting all employment contracts entered into Hong Kong involving manual employees and those non-manual employees with monthly wages not exceeding \$20,000.

## Regulating Labour Importation

### Supplementary Labour Scheme (SLS)/ Enhanced Supplementary Labour Scheme (ESLS)

- 5.42** The LD administers the SLS which operates on the principles of ensuring employment priority for local workers while allowing employers with proven recruitment difficulties to apply for importation of workers at technician level or below. To alleviate the manpower shortage across different sectors, the LD launched the ESLS on 4 September 2023 to enhance the coverage and operation of the SLS.

**5.43** We provide active job matching and referral services for local job seekers, and widely publicise vacancies under the SLS to ensure their employment priority. Local workers can attend tailor-made retraining courses, if appropriate, to better equip themselves to fill the vacancies. Applications from employers who have set restrictive and unreasonable job requirements or who have no sincerity in employing local workers will be rejected.

**5.44** As at end-2023, there were 7 827 imported workers working in Hong Kong under the SLS/ESLS.

## **Policy on Foreign Domestic Helpers (FDHs)**

**5.45** FDHs have been admitted to work in Hong Kong since the 1970s. Apart from enjoying the same statutory rights and benefits as all employees in Hong Kong, FDHs are further protected by a Government-prescribed Standard Employment Contract, which stipulates that employers must provide FDHs with free accommodation with reasonable privacy, free food (or food allowance in lieu), free passage to and from the FDHs' place of origin, free medical treatment, etc. FDHs also enjoy wage protection through the Government-prescribed Minimum Allowable Wage (MAW), under which employers have to pay FDHs a salary no less than the prevailing MAW when the contracts are signed. The Government attaches great importance to safeguarding FDHs' statutory and contractual rights. The LD spares no efforts in investigating suspected offence cases and will take out prosecution action if there is sufficient evidence.

**5.46** To strengthen the protection of FDHs and enhance the awareness of both FDHs and employers of their rights, benefits and responsibilities, the LD continued to organise a host of publicity and educational activities, and continued to maintain close liaison with and disseminate information on employment matters through the governments of FDH-sending countries and their Consulates-General in Hong Kong, NGOs serving FDHs, FDH employer groups and employment agency associations.

**5.47** As at end-2023, there were 356 231 FDHs in Hong Kong, with 56% coming from the Philippines and 41% from Indonesia.



# Chapter 6

## Employees' Rights and Benefits

### The Programme of Employees' Rights and Benefits

[www.labour.gov.hk/eng/erb/content.htm](http://www.labour.gov.hk/eng/erb/content.htm)

**6.1** The objective of the Employees' Rights and Benefits Programme is to improve and safeguard employees' 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 which takes into account the interests of employers and employees. We achieve this by:

- setting and refining employment standards in consultation with the Labour Advisory Board;
- ensuring compliance with statutory and contractual terms and conditions of employment through inspection of workplaces, investigation into suspected breaches of the statutory provisions and prosecution of offenders;
- processing employees' compensation claims;
- processing applications for ex gratia payment from the Protection of Wages on Insolvency Fund (PWIF);
- administering the Reimbursement of Maternity Leave Pay (RMLP) Scheme;
- maintaining close partnership with statutory bodies set up for protecting the rights and benefits of employees; and
- providing customer-oriented information 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 and Mesothelioma (Compensation) Ordinance (PMCO), the Occupational Deafness (Compensation) Ordinance (ODCO), the Employees Compensation Assistance Ordinance (ECAO), the Employment Ordinance (EO) and its subsidiary Employment of Children Regulations and Employment of Young Persons (Industry) Regulations, the Minimum Wage Ordinance (MWO), the Protection of Wages on Insolvency Ordinance (PWIO) as well as Part IVB of the Immigration Ordinance.

- 6.3** The ECO establishes a no-fault, non-contributory employees' compensation system so that individual employers are liable to pay compensation for work-related injuries and fatalities. It requires all employers to possess valid insurance policies to cover their liabilities under the laws (including the common law).
- 6.4** The PMCO provides for compensation payable to persons who suffer from pneumoconiosis and/or mesothelioma and family members of persons who die of these diseases. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5** The ODCO provides for compensation payable to persons who suffer from noise-induced deafness by reason of employment in specified noisy occupations. Compensation is paid from the Occupational Deafness Compensation Fund, which is administered by the Occupational Deafness Compensation Board.
- 6.6** The ECAO establishes the Employees Compensation Assistance Fund to provide assistance payment to injured employees and family members of deceased employees who are unable to receive their entitlements for work-related injuries and fatalities from employers and insurers. The fund is administered by the Employees Compensation Assistance Fund Board.
- 6.7** The EO is the main piece of legislation governing conditions of employment. 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 who have attained the age of 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.
- 6.8** The MWO establishes a Statutory Minimum Wage (SMW) regime which provides a wage floor with a view to forestalling excessively low wages, but without unduly jeopardising Hong Kong's labour market flexibility, economic growth and competitiveness or leading to significant adverse impact on the employment opportunities of vulnerable workers. Failure to pay the SMW amounts to a breach of the wage provisions under the EO.
- 6.9** The PWIO establishes the PWIF to provide timely relief in the form of ex gratia payment to employees affected by their insolvent employers.

**6.10** The Labour Department (LD) also administers Part IVB of the Immigration Ordinance to assist in combatting illegal employment in order to protect the employment opportunities of local workers.

## Our Work and Achievements in 2023

### Key Indicators of Work

**6.11** We sustained our efforts to safeguard the rights and benefits of employees through various activities in 2023. Some key indicators of work of this programme area are shown in Appendix 6.1.

### Improvement to Employees' Benefits

**6.12** With effect from 13 April 2023, the ECO, PMCO and ODCO were amended to increase the amounts of a total of 18 compensation items payable in cases involving work accidents or prescribed occupational diseases.

**6.13** The SMW rate under the MWO was increased by 6.7% from \$37.5 to \$40 per hour with effect from 1 May 2023.

### Proactive Efforts to Combat Wage Defaults

**6.14** In 2023, the LD continued to adopt a proactive strategy to tackle the problem of non-payment of wages at source through enhancing publicity and promotion, taking enforcement and prosecution actions, and making use of the early warning system set up in collaboration with trade unions to gather relevant intelligence. We also proactively monitored selected sectors and establishments with a view to forestalling and detecting cases of wage default at an early stage and intervening early to tackle the problem.

**6.15** We continued to take enforcement and prosecution actions against employers and responsible individuals of companies for wage offences. We conducted territory-wide inspections of workplaces to detect wage offences. Labour inspectors actively interviewed employees during inspections and conducted investigation speedily into the suspected offences. Prosecutions were taken out whenever sufficient evidence was available.

**6.16** During the year, the LD secured 819 convicted summonses for wage offences and 204 convicted summonses for defaults of awards made by the Labour Tribunal (LT) or the Minor Employment Claims Adjudication Board (MECAB). One company director was sentenced to imprisonment for these offences, and another nine company directors and one secretary were ordered to perform community service. These sentences disseminated a strong message to employers and company responsible individuals on the seriousness of defaults of wages and awards made by the LT or the MECAB.

## **Vigorous Enforcement to Protect Employees' Rights and Benefits**

**6.17** The LD continued vigorous enforcement efforts to ensure that the statutory rights of employees under labour legislation were well protected.

**6.18** In 2023, Labour Inspectors carried out 150 172 workplace inspections of establishments in various trades to enforce labour laws (Appendix 6.2). A total of 1 067 complaints were handled in the year.

**6.19** To safeguard employees' entitlement to the SMW, we also conducted proactive workplace inspections of various establishments and mounted targeted enforcement campaigns for low-paying sectors. In the year, 63 465 inspections were conducted to check compliance with the MWO.

**6.20** We conducted inspections and trade-targeted operations to enforce the ECO's compulsory requirement of taking out employees' compensation insurance policy. In the year, a total of 112 134 inspections were conducted to enforce the statutory requirement.

**6.21** We continued to work closely with government departments in monitoring their service contractors to ensure that non-skilled employees of the contractors enjoyed their rights and benefits. A total of 1 103 inspections were conducted to the workplaces of such workers and 3 850 workers were interviewed to check contractors' compliance with labour laws.

**6.22** To ensure compliance with the conditions under the Supplementary Labour Scheme (SLS)/ Enhanced Supplementary Labour Scheme (ESLS), we investigated 119 complaints and cases on suspected irregularities involving imported workers. Items investigated included wages and working hours arrangement.



## Processing Employees' Compensation Cases and Improving Work Injury Protection for Employees

- 6.23** Under the current no-fault employees' compensation system, compensation is payable to injured employees or family members of deceased employees for any work-related injuries or fatalities. Claims for compensation involving fatality are determined by the courts or by the Commissioner for Labour under the improved settlement mechanism introduced in August 2000.
- 6.24** In 2023, 41 758 employees' compensation cases, including 11 442 minor cases which involved sick leave of not exceeding three days, were received. At year-end, among the 30 316 fatal cases or non-fatal cases involving sick leave exceeding three days, 18 107 cases were settled. The amount of employees' compensation involved was \$276 million. The remaining cases were pending expiry of employees' sick leave, assessment of permanent incapacity or court judgment (Appendices 6.3 and 6.4).
- 6.25** The LD enhanced the Claims Support Services through dedicated follow-up, early intervention and proactive contact to facilitate timely resolution of differences between employers and employees in employees' compensation cases.
- 6.26** The Task Force on Improving Work Injury Protection for Employees in High-risk Industries (Task Force) coordinated by the LD continued to implement improvement measures including stepping up the publicity and promotion of taking out adequate employees' compensation insurance coverage by employers, enhancing the case processing of employees' compensation claims, shortening the waiting time of injured employees for work injury assessments and strengthening training on occupational medicine. The Task Force will continue to discuss and implement other improvement measures.

## Briefings and Promotional Campaigns

- 6.27** In 2023, the LD arranged 29 and 122 briefings for employers and imported workers respectively under the SLS/ESLS to publicise the rights and obligations of the parties concerned.
- 6.28** Extensive publicity campaigns were launched to publicise our complaint telephone hotline (2815 2200) through public transportation network, advertisements inside MTR stations and compartments, newspaper articles, etc. to encourage employees to report suspected breaches of employment rights.

**6.29** We organised a wide range of publicity activities to promote the revised SMW rate and the MWO during the year. These activities included broadcasting TV and Radio APIs, distributing and displaying leaflets and posters, holding seminars and exhibitions, publishing feature articles in newspapers, providing online interactive games on the LD's website, and placing advertisements through various channels such as newspapers, mobile applications, Internet platforms and public transport.



Seminar on the Minimum Wage Ordinance



Banner promoting the revised Statutory Minimum Wage rate

**6.30** We continued to promote employers' statutory obligations on timely reporting of work accidents and taking out employees' compensation insurance policies through broadcasting APIs, placing advertisements through various channels (such as newspapers, journals of workers' unions and trade associations, mobile applications and public transport), distributing and displaying leaflets and posters, as well as holding seminars on the ECO.



Seminar on the Employees' Compensation Ordinance

## RMLP Scheme

**6.31** In tandem with the extension of the statutory maternity leave from 10 weeks to 14 weeks since end-2020, the LD rolled out the RMLP Scheme to fully reimburse employers for the additional statutory maternity leave pay, subject to a cap of \$80,000 per employee.

**6.32** The RMLP Scheme runs a one-stop online portal "Reimbursement Easy Portal" ([www.rmlps.gov.hk](http://www.rmlps.gov.hk)). Employers, after completing account registration, will gain access to a wide range of services, including online submission of applications, checking application progress, making enquiries and receiving latest information on the RMLP Scheme. In 2023, the RMLP Scheme received 7 367 applications and approved 6 820 applications with reimbursement of \$167 million.



## Partnership with Statutory Bodies

**6.33** We maintain close partnership with various statutory bodies that have been set up for implementing the different schemes for the protection of the rights and benefits of employees.

## Protection of Wages on Insolvency Fund Board (PWIFB)

**6.34** The PWIFB established under the PWIO is responsible for administering the PWIF. Employees who are owed wages, wages in lieu of notice, severance payment, pay for untaken annual leave and pay for untaken statutory holidays by their insolvent employers may apply for ex gratia payment from the PWIF in accordance with the PWIO. The PWIF is mainly financed by a levy on business registration.

**6.35** The LD provides administrative support to the PWIFB, verifies applications and approves ex gratia payment from the PWIF. In 2023, we received 3 293 applications and processed 3 904 applications from employees who were owed wages and other statutory entitlements due to business cessation and sought relief from the PWIF, with ex gratia payment of \$155 million made. A breakdown of applications received by economic sector is shown in Appendix 6.5.

**6.36** By providing a safety net for employees affected by business closures, the PWIF plays an important role in maintaining good labour relations and social stability. Both the LD and the PWIFB attach great importance to protecting the PWIF from possible abuse. To this end, stringent vetting procedures are in place to process all applications. An inter-departmental task force has been formed by representatives of the LD, the Commercial Crime Bureau of the Hong Kong Police Force, the Official Receiver's Office and the Legal Aid Department to take concerted actions against suspected fraudulent cases.

## Pneumoconiosis Compensation Fund Board (PCFB)

**6.37** The PCFB is established under the PMCO to provide compensation to persons suffering from pneumoconiosis and/or mesothelioma and family members of persons who die of these diseases. The PCFB is financed by a levy collected from the construction and quarrying industries. Under the PMCO, the LD is responsible for determining whether an applicant is entitled to compensation. As at end-2023, 1 379 eligible persons were receiving compensation in the form of monthly payments from the PCFB. In the year, the PCFB made a total compensation payment of \$221 million.



## Occupational Deafness Compensation Board (ODCB)

**6.38** Established under the ODCO, the ODCB provides compensation for persons who suffer from noise-induced deafness by reason of employment in specified noisy occupations and financial assistance for their purchase, fitting, repair or maintenance of hearing assistive devices. The ODCB also launches educational and publicity programmes for the prevention of occupational deafness, and provides rehabilitation programmes for those suffering from occupational deafness. In 2023, the ODCB approved 289 applications for compensation with a total compensation payout at \$29.06 million and 939 applications for payment of expenses on hearing assistive devices with a total payout at \$8.53 million. The ODCB also provided 610 rehabilitation programmes for people with hearing impairment caused by their employment in specified noisy occupations.

## Employees Compensation Assistance Fund Board (ECAFB)

**6.39** Set up under the ECAO, the ECAFB is responsible for administering the Employees Compensation Assistance Fund which provides assistance payment to eligible injured employees and family members of deceased employees who are unable to receive their entitlements for work-related injuries and fatalities from employers and insurers after exhausting all legal and financially viable means of recovery. In 2023, the ECAFB approved 50 applications, leading to payment of \$64.62 million.

## Abolition of the MPF Offsetting Arrangement

**6.40** The Government pressed ahead with the preparatory work and carried out extensive publicity work to help employers and employees understand the abolition arrangement, including conducting briefings for employer associations, trade unions and human resources practitioners, publishing posts on social media, placing feature articles and advertorials in major newspapers and news applications, enhancing the content of the thematic website and producing video clips. The thematic website also provided an online calculating tool to facilitate employers and employees to calculate severance payment/long service payment after the abolition, government subsidies that employers might receive and the total benefits of employees.

# 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. As at end-2023, 31 International Labour Conventions were applied to Hong Kong with or without modification (Appendix 7.1). Other international instruments, which also touch on labour standards, include the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.
- 7.2** Comprehensive legislative and administrative measures are in place in Hong Kong to enable the Government to implement internationally accepted labour standards. Through continuous improvements to labour legislation and administrative measures, Hong Kong maintains labour standards that are comparable with those of neighbouring places with similar economic development as well as social and cultural background.

### Participation in the Activities of the ILO

- 7.3** Hong Kong participates in the activities of the ILO, either as part 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".
- 7.4** In 2023, the Labour Department (LD) continued to participate in activities organised by the ILO to keep abreast of the latest development of international labour matters. In the year, representatives from Hong Kong attended the 111th Session of the International Labour Conference held in Geneva, Switzerland, as part of the delegation of the People's Republic of China.

### Contacts with Other Labour Administrations

- 7.5** In the year, the LD received delegations of labour administration visiting Hong Kong and sent representatives to participate in labour-related activities in other places, so as to strengthen its co-operation with other countries and regions, and to exchange on labour issues with other labour administrations (Appendix 7.2).

# Figures and Charts

## Appendices

- 2.1** Number of Summonses Convicted and Total Fines in 2023
- 2.2** Organisation Chart of Labour Department (as at 31 December 2023)
- 2.3** Terms of Reference and Composition of the Labour Advisory Board and Membership for the 2023-2024 term
- 3.1** Key Indicators of Work of the Labour Relations Programme Area in 2023
- 3.2** Number of Labour Disputes Handled by the Labour Relations Division from 2019 to 2023
- 3.3** Number of Claims Handled by the Labour Relations Division from 2019 to 2023
- 3.4** Number of Labour Disputes Handled by the Labour Relations Division in 2023 by Cause
- 3.5** Number of Claims Handled by the Labour Relations Division in 2023 by Cause
- 3.6** Number of Strikes and Number of Employees Involved from 2019 to 2023
- 3.7** Number of Working Days Lost due to Strike per Thousand Salaried Employees and Wage Earners from 2019 to 2023
- 4.1** Key Indicators of Work of the Programme of Safety and Health at Work in 2023
- 5.1** Key Indicators of Work of the Employment Services Programme Area in 2023
- 5.2** Key Indicators of Employment Services Rendered to Able-bodied Job Seekers from 2019 to 2023
- 5.3** Key Indicators of Employment Services Rendered to Job Seekers with Disabilities from 2019 to 2023
- 6.1** Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2023
- 6.2** Number of Inspections Conducted by Labour Inspectors in 2023 by Major Economic Sector
- 6.3** Number of Cases Reported under the Employees' Compensation Ordinance in 2023 by Sex and Age
- 6.4** Number of Cases Reported under the Employees' Compensation Ordinance from 2019 to 2023
- 6.5** Number of Applications to the Protection of Wages on Insolvency Fund received in 2023 by Economic Sector
- 7.1** List of the 31 International Labour Conventions Applied to Hong Kong
- 7.2** Participation in Major International Labour Organisation Activities and Contacts with Other Labour Administrations in 2023

## Appendix 2.1

### Number of Summonses Convicted and Total Fines in 2023

Ordinance	Summonses convicted	Fines (\$)
<b>Boilers and Pressure Vessels Ordinance</b>		
<b>Sub-total</b>	<b>5</b>	<b>20,600</b>
<b>Employees' Compensation Ordinance</b>		
<b>Sub-total</b>	<b>1 496</b>	<b>3,750,700</b>
<b>Employment Ordinance and subsidiary regulations</b>		
Statutory benefits cases	1 377	4,464,300
Young persons and children cases <sup>1</sup>	-	-
Employment agencies cases <sup>2</sup>	4	41,000
<b>Sub-total</b>	<b>1 381</b>	<b>4,505,300</b>
<b>Factories and Industrial Undertakings Ordinance and subsidiary regulations</b>		
Building and engineering construction cases	1 706	15,286,250
Other cases	690	4,153,200
<b>Sub-total</b>	<b>2 396</b>	<b>19,439,450</b>
<b>Occupational Safety and Health Ordinance and subsidiary regulations</b>		
<b>Sub-total</b>	<b>160</b>	<b>1,728,200</b>
<b>Immigration Ordinance</b>		
<b>Sub-total</b>	<b>26</b>	<b>57,800</b>
<b>Total</b>	<b>5 464</b>	<b>29,502,050</b>

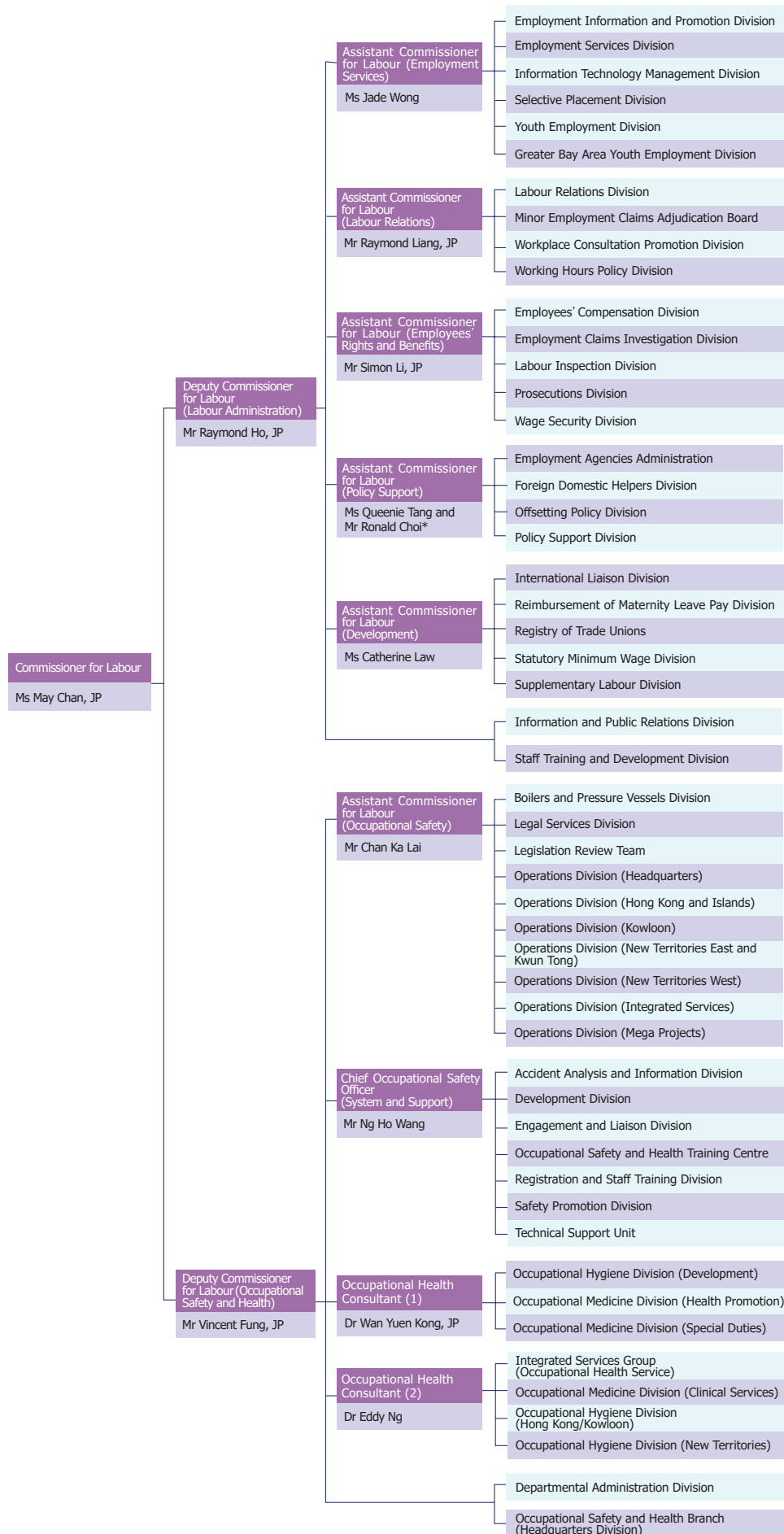
Notes: 1. Cases involving the Employment of Young Persons (Industry) Regulations and the Employment of Children Regulations

2. Cases involving offences by employment agencies under the Employment Ordinance and the Employment Agency Regulations



## Appendix 2.2

# Organisation Chart of Labour Department (as at 31 December 2023)



\* Doubling up the post of Assistant Commissioner for Labour (Policy Support) in addition to their own duties

## Appendix 2.3

### Terms of Reference and Composition of the Labour Advisory Board and Membership for the 2023-2024 term

#### Terms of Reference

The Labour Advisory Board advises the Commissioner for Labour on 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.

#### Composition

The composition of the Labour Advisory Board is as follows:

Chairman	Commissioner for Labour (ex-officio)
Members	Five employee members elected by registered employee unions Five employer members nominated by major employer associations One employee member and one employer member appointed ad personam
Secretary	A Senior Labour Officer

#### Membership

##### Chairman

Ms May Chan Wing Shiu, JP	Commissioner for Labour
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##### Members

###### Employee Representatives

Ms Tam Kam Lin	}	elected by registered employee unions
Mr Lo Tai Chi		
Mr Lam Wai Kong, MH		
Ms Julie Lai Mei Chu		
Ms Lai Na		
Mr Wong Yin Hao		appointed ad personam

###### Employer Representatives

Hon Ho Sai Chu, GBM, GBS, JP	representing the Chinese General Chamber of Commerce
Dr Kim Mak Kin Wah, BBS, JP	representing the Employers' Federation of Hong Kong
Mr Irons Sze, BBS, JP	representing the Chinese Manufacturers' Association of Hong Kong
Mr Emil Yu Chen On, BBS, JP	representing the Hong Kong General Chamber of Commerce
Mr Ricky Chan Wai Chung	representing the Federation of Hong Kong Industries
Dr Bankee Kwan Pak Hoo, BBS, JP	appointed ad personam

##### Secretary

Ms Rosanna Chan Pui Sze	Senior Labour Officer
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## Appendix 3.1

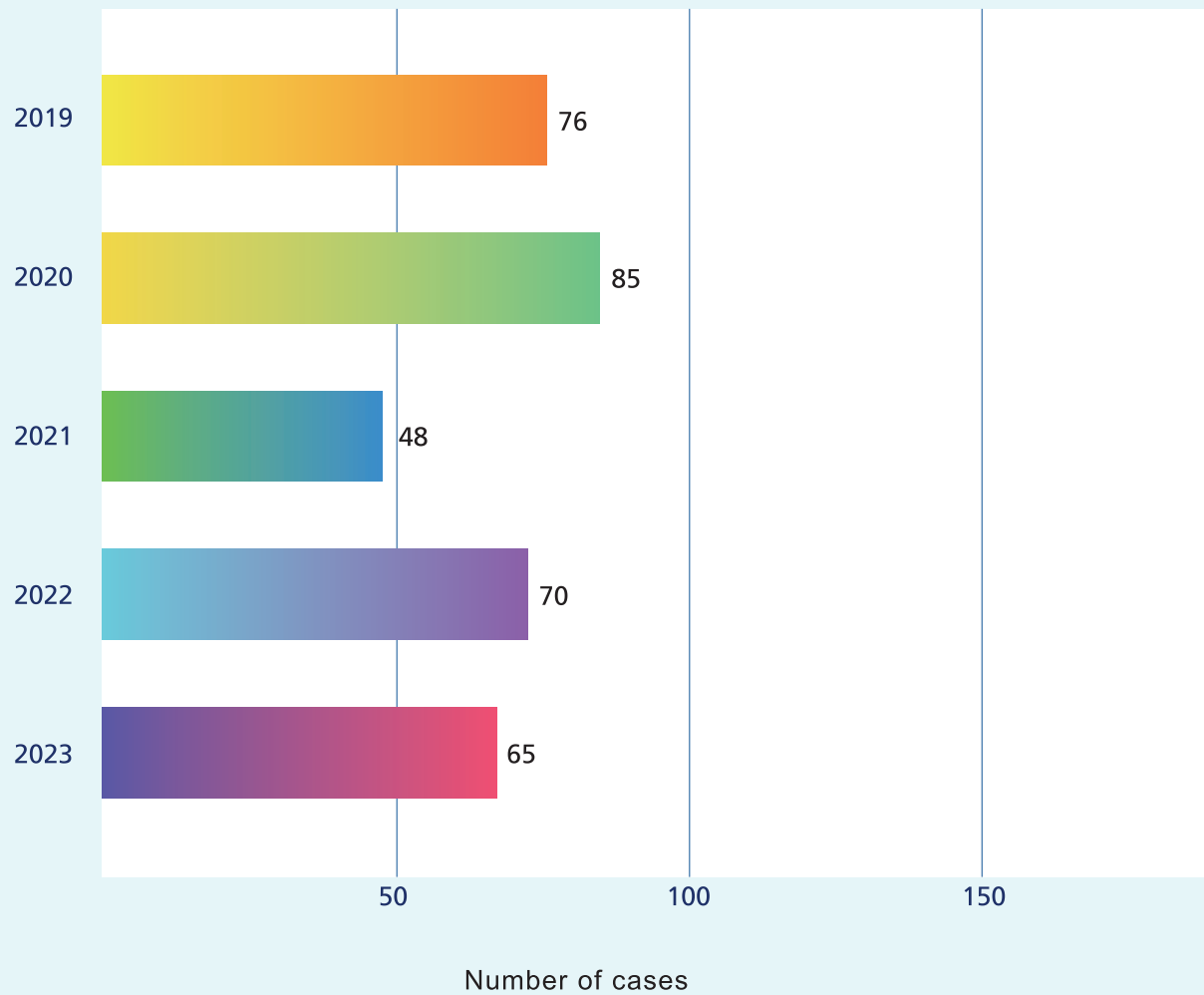
### Key Indicators of Work of the Labour Relations Programme Area in 2023

Key Indicators of Work		Number
<b>I.</b>	<b>Conciliation and Consultation Services</b>	
	Labour disputes and claims handled*	12 228
	Consultation meetings held	52 248
	Percentage of labour disputes and claims resolved through conciliation	77.2%
<b>II.</b>	<b>Adjudication of Minor Employment Claims</b>	
	Claims adjudicated by Minor Employment Claims Adjudication Board	1 066
<b>III.</b>	<b>Regulation of Trade Unions</b>	
	Registration of new trade unions and changes of union names/rules	151
	Visits to trade unions	406
	Annual statements of account of trade unions examined	1 358
	Courses organised for trade unions	4

\* Each labour dispute involved more than 20 employees and each claim involved 20 or less employees.

## Appendix 3.2

### Number of Labour Disputes Handled\* by the Labour Relations Division from 2019 to 2023



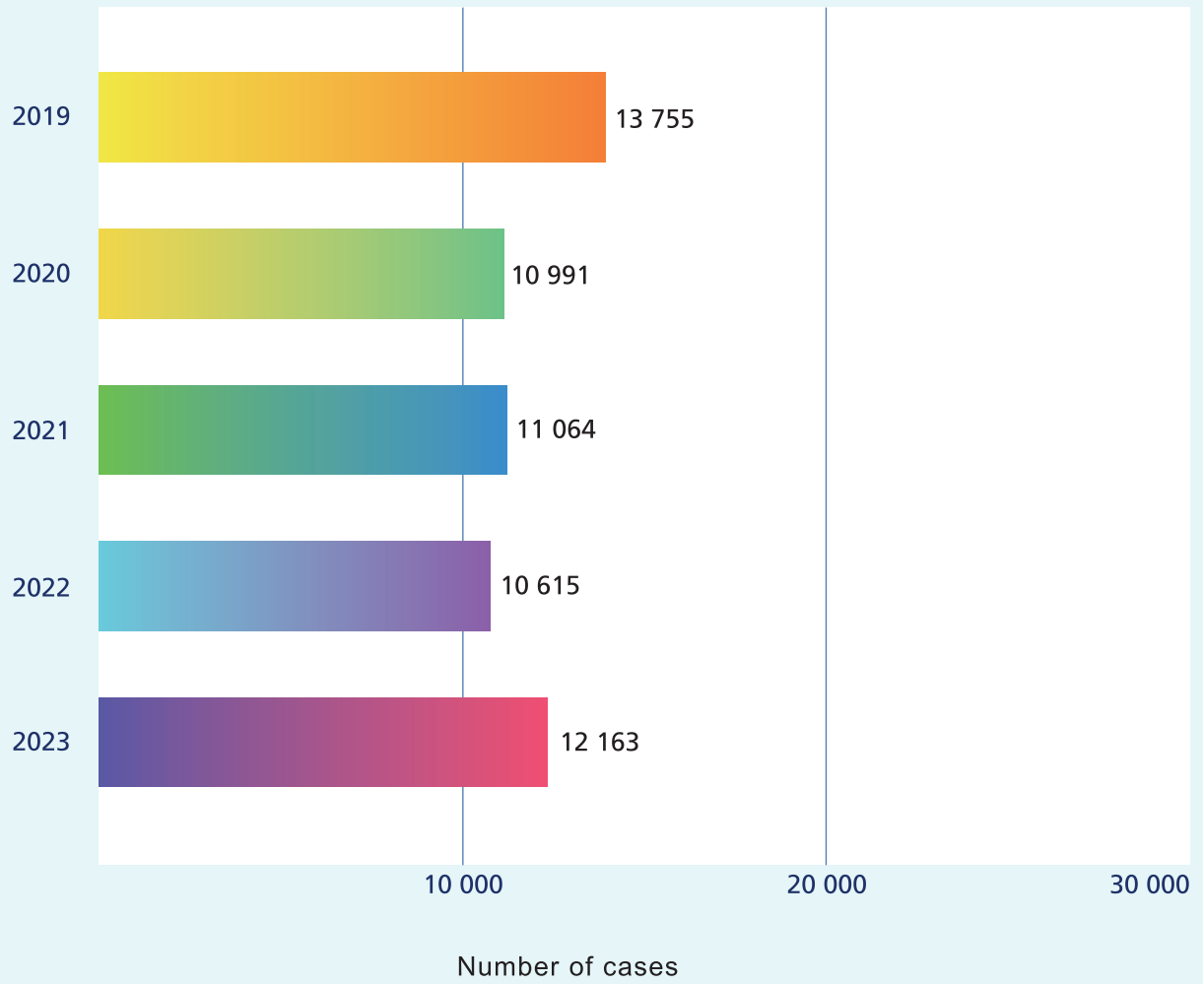
Year	Number of cases
<b>2019</b>	76
<b>2020</b>	85
<b>2021</b>	48
<b>2022</b>	70
<b>2023</b>	65

\* Each labour dispute involved more than 20 employees.



### Appendix 3.3

## Number of Claims Handled\* by the Labour Relations Division from 2019 to 2023

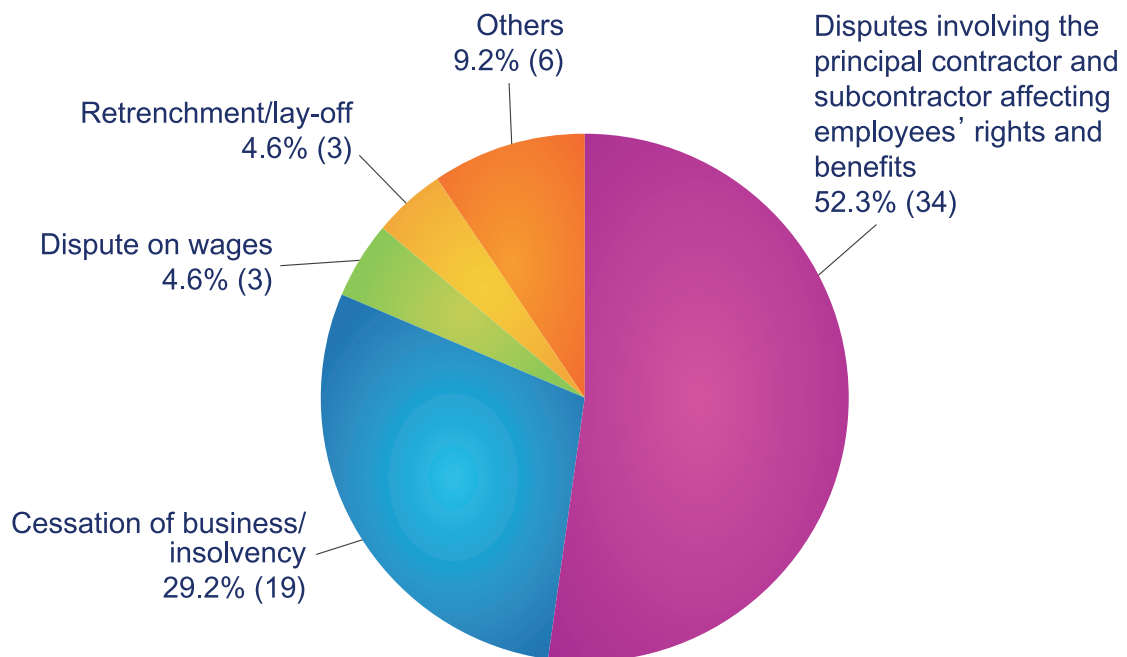


Year	Number of cases
<b>2019</b>	13 755
<b>2020</b>	10 991
<b>2021</b>	11 064
<b>2022</b>	10 615
<b>2023</b>	12 163

\* Each claim involved 20 or less employees.

## Appendix 3.4

### Number of Labour Disputes Handled\* by the Labour Relations Division in 2023 by Cause



Total number of cases : 65

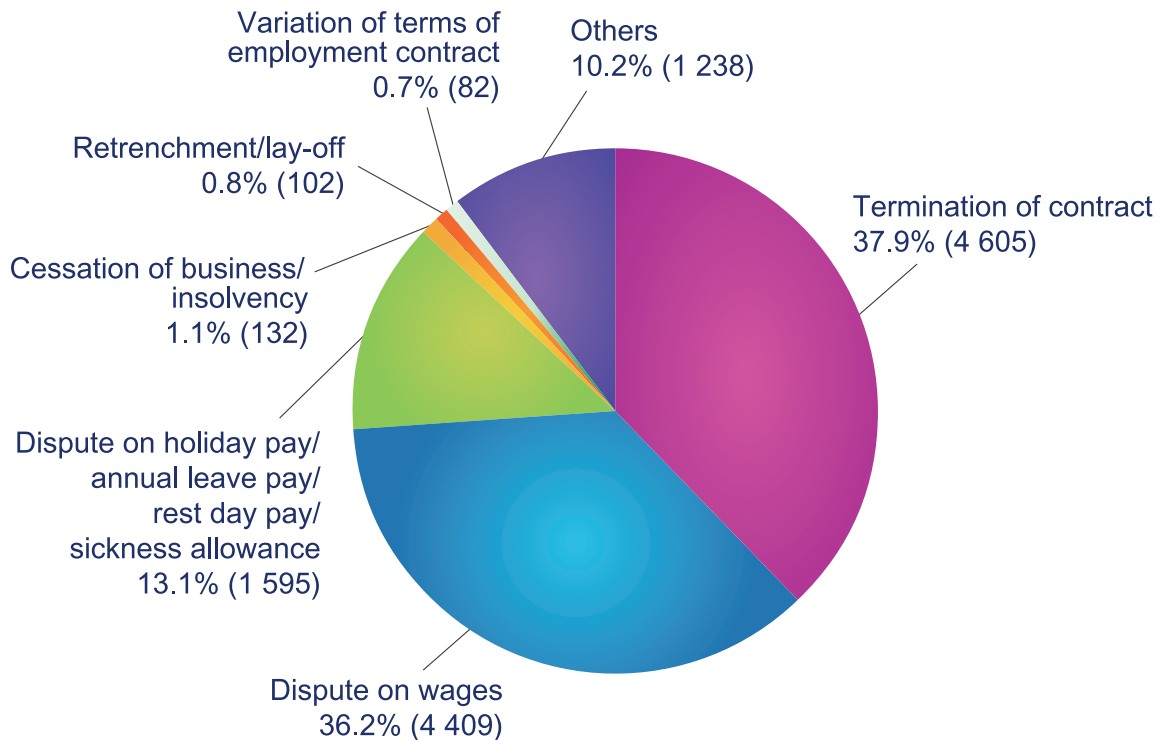
Figures in brackets indicate the number of related cases

Cause	Number of cases	Percentage
<b>Disputes involving the principal contractor and subcontractor affecting employees' rights and benefits</b>	34	52.3%
<b>Cessation of business/insolvency</b>	19	29.2%
<b>Dispute on wages</b>	3	4.6%
<b>Retrenchment/lay-off</b>	3	4.6%
<b>Others</b>	6	9.2%
<b>Total number of cases</b>	<b>65</b>	

\* Each labour dispute involved more than 20 employees.

## Appendix 3.5

### Number of Claims Handled\* by the Labour Relations Division in 2023 by Cause



**Total number of cases : 12 163**

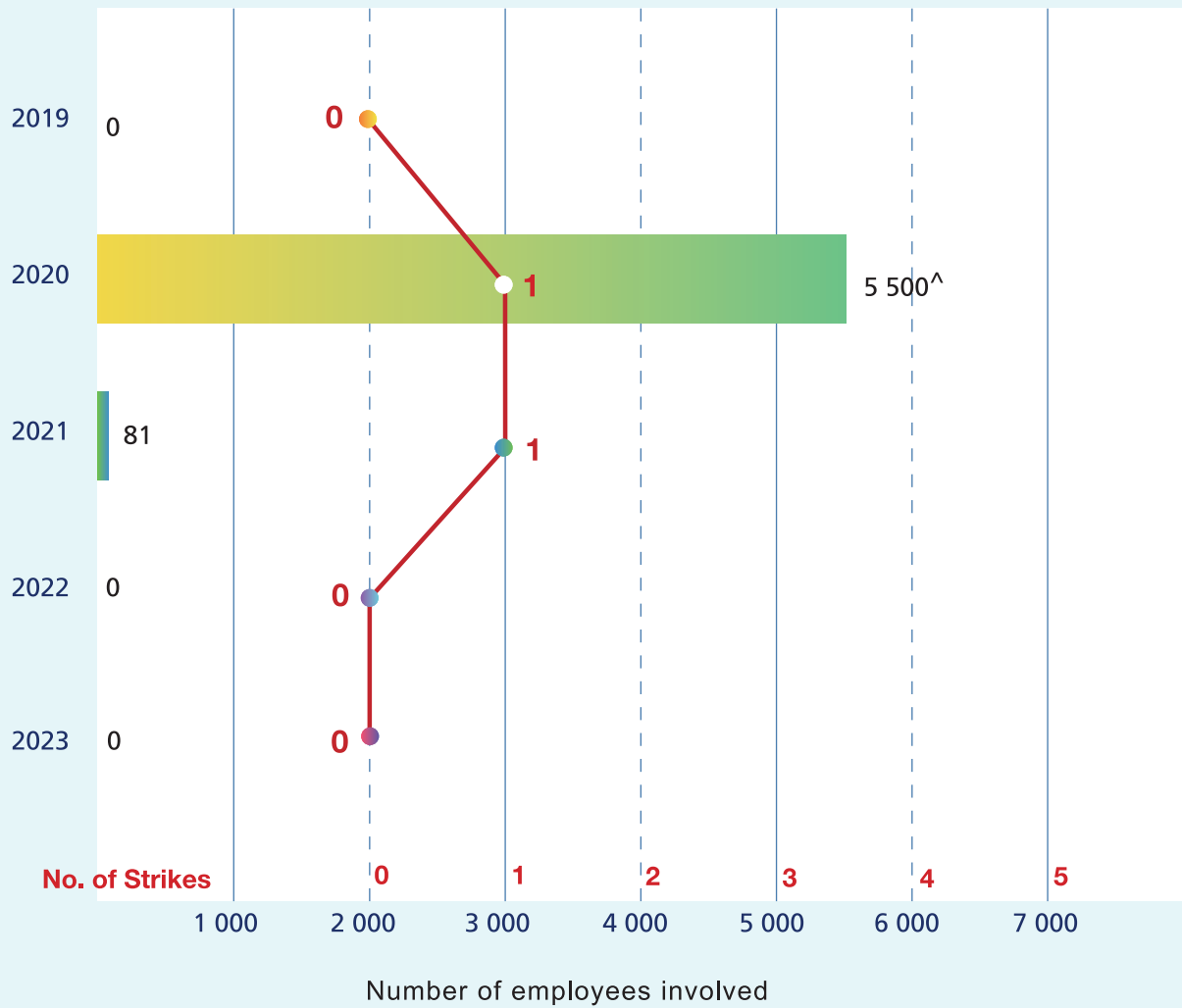
Figures in brackets indicate the number of related cases

Cause	Number of cases	Percentage
<b>Termination of contract</b>	4 605	37.9%
<b>Dispute on wages</b>	4 409	36.2%
<b>Dispute on holiday pay/annual leave pay/rest day pay/sickness allowance</b>	1 595	13.1%
<b>Cessation of business/insolvency</b>	132	1.1%
<b>Retrenchment/lay-off</b>	102	0.8%
<b>Variation of terms of employment contract</b>	82	0.7%
<b>Others</b>	1 238	10.2%
<b>Total number of cases</b>	<b>12 163</b>	

\* Each claim involved 20 or less employees.

### Appendix 3.6

### Number of Strikes and Number of Employees Involved from 2019 to 2023



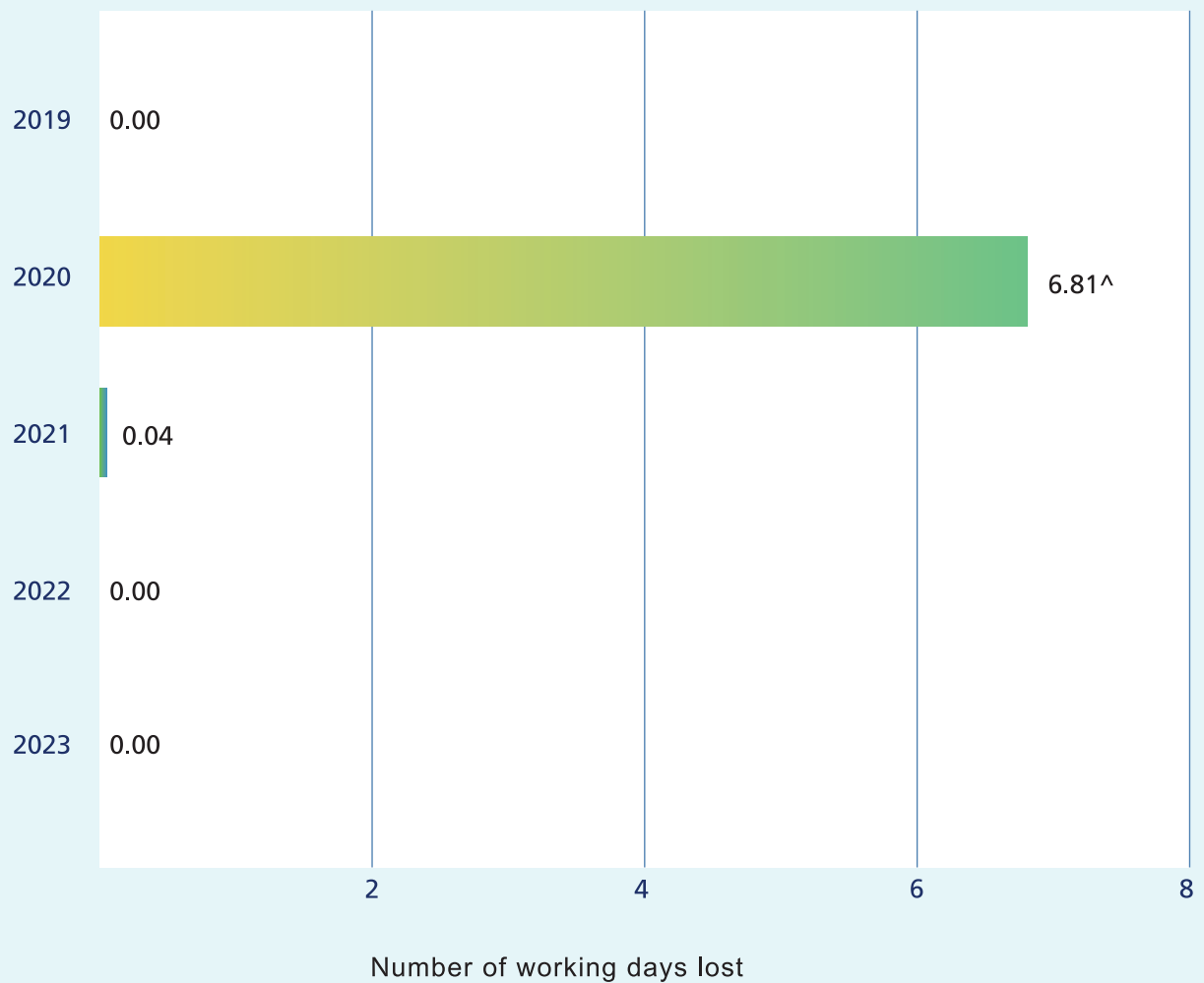
Year	Number of strikes	Number of employees involved
<b>2019</b>	0	0
<b>2020</b>	1	5 500 <sup>^</sup>
<b>2021</b>	1	81
<b>2022</b>	0	0
<b>2023</b>	0	0

<sup>^</sup> The increase was attributed to an industrial action initiated by a trade union in response to anti-pandemic measures and related employment arrangements.



### Appendix 3.7

## Number of Working Days Lost due to Strike per Thousand Salaried Employees and Wage Earners\* from 2019 to 2023



Year	Number of working days lost
<b>2019</b>	0.00
<b>2020</b>	6.81 <sup>^</sup>
<b>2021</b>	0.04
<b>2022</b>	0.00
<b>2023</b>	0.00

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

<sup>^</sup> The increase was attributed to an industrial action initiated by a trade union in response to anti-pandemic measures and related employment arrangements.

## Appendix 4.1

### Key Indicators of Work of the Programme of Safety and Health at Work in 2023

Key Indicators of Work		Number
<b>I.</b>	<b>Inspections</b>	
	Inspections under FIUO <sup>1</sup> and OSHO <sup>2</sup>	141 996
	Inspections under BPVO <sup>3</sup>	4 657
<b>II.</b>	<b>Investigations</b>	
	Investigations of accidents at workplaces	19 064
	Investigations of suspected cases of occupational diseases/ occupational health problems	2 328
<b>III.</b>	<b>Promotion and Education</b>	
	Promotional visits to workplaces under FIUO <sup>1</sup> and OSHO <sup>2</sup>	5 821
	Talks, lectures and seminars organised	3 408
<b>IV.</b>	<b>Pressure Equipment Registration</b>	
	Pressure equipment registered	1 905
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	504
<b>V.</b>	<b>Clinical Services</b>	
	Clinical consultations conducted	13 043

**Notes:** 1. Factories and Industrial Undertakings Ordinance  
2. Occupational Safety and Health Ordinance  
3. Boilers and Pressure Vessels Ordinance

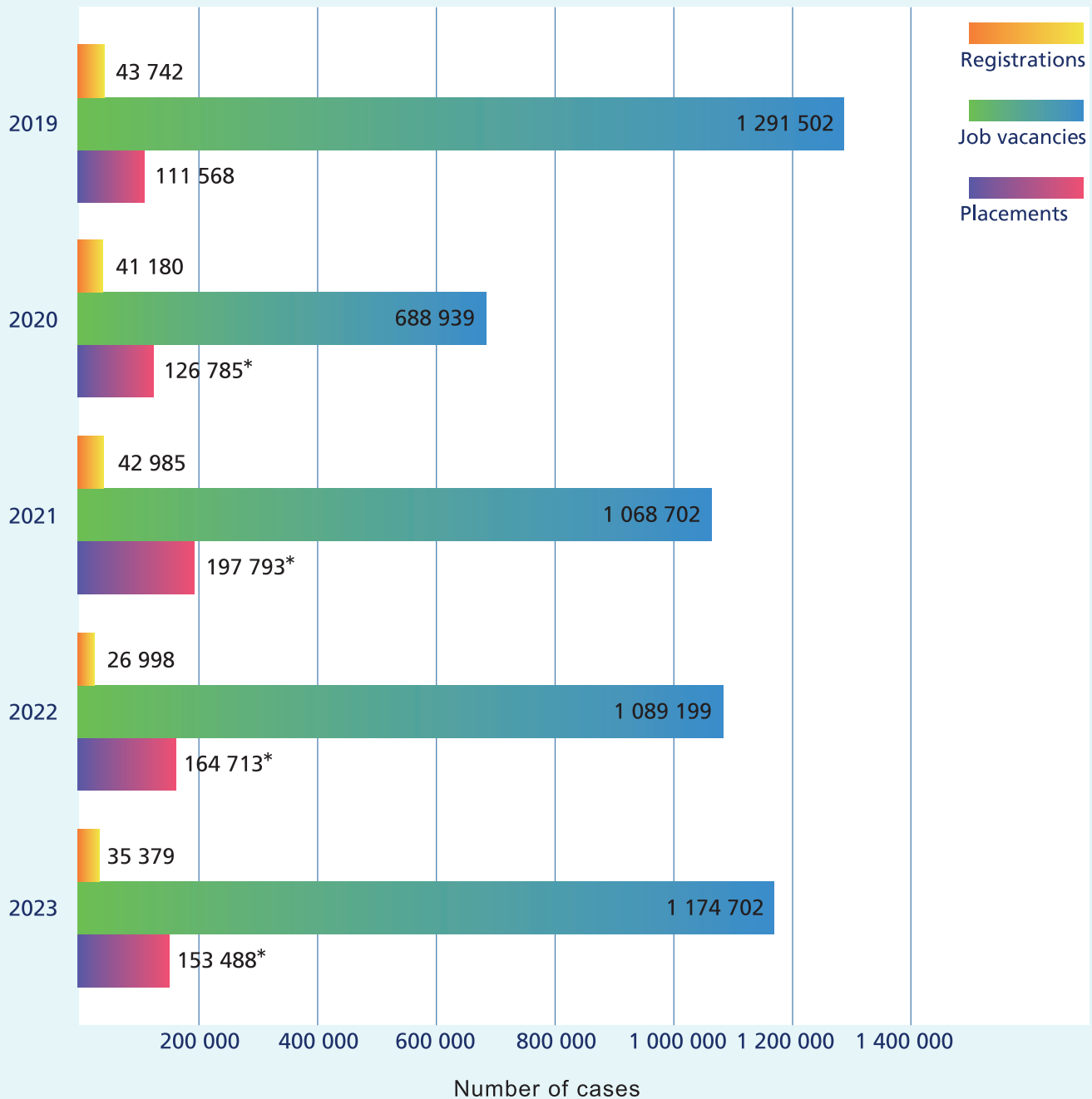
## Appendix 5.1

### Key Indicators of Work of the Employment Services Programme Area in 2023

Key Indicators of Work		Number
<b>I.</b>	<b>Able-bodied Job Seekers</b>	
	Persons registered	35 379
	Placements	153 488
<b>II.</b>	<b>Job Seekers with Disabilities</b>	
	Persons registered	2 840
	Placements	2 406
<b>III.</b>	<b>Regulating Employment Agencies</b>	
	Licences issued	3 833
	Inspections	2 010
<b>IV.</b>	<b>Applications under the Supplementary Labour Scheme/Enhanced Supplementary Labour Scheme processed</b>	1 284

## Appendix 5.2

### Key Indicators of Employment Services Rendered to Able-bodied Job Seekers from 2019 to 2023



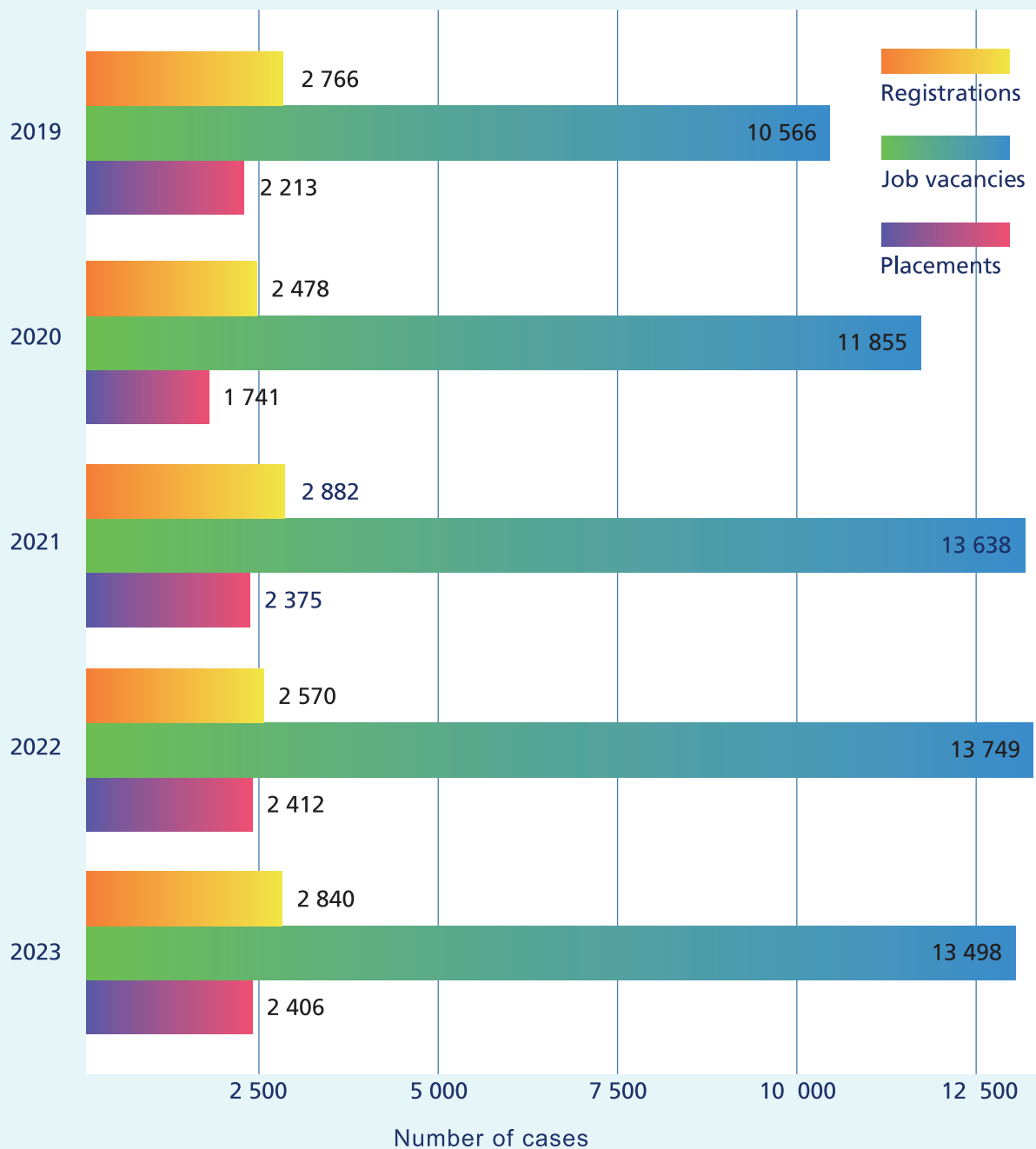
Year	Registrations	Job vacancies	Placements
<b>2019</b>	43 742	1 291 502	111 568
<b>2020</b>	41 180	688 939	126 785*
<b>2021</b>	42 985	1 068 702	197 793*
<b>2022</b>	26 998	1 089 199	164 713*
<b>2023</b>	35 379	1 174 702	153 488*

\* Care should be taken in comparing the placement figures for 2020 and thereafter with those in previous years owing to changes in parameters of the placement survey.



## Appendix 5.3

### Key Indicators of Employment Services Rendered to Job Seekers with Disabilities from 2019 to 2023



Year	Registrations	Job vacancies	Placements
<b>2019</b>	2 766	10 566	2 213
<b>2020</b>	2 478	11 855	1 741
<b>2021</b>	2 882	13 638	2 375
<b>2022</b>	2 570	13 749	2 412
<b>2023</b>	2 840	13 498	2 406

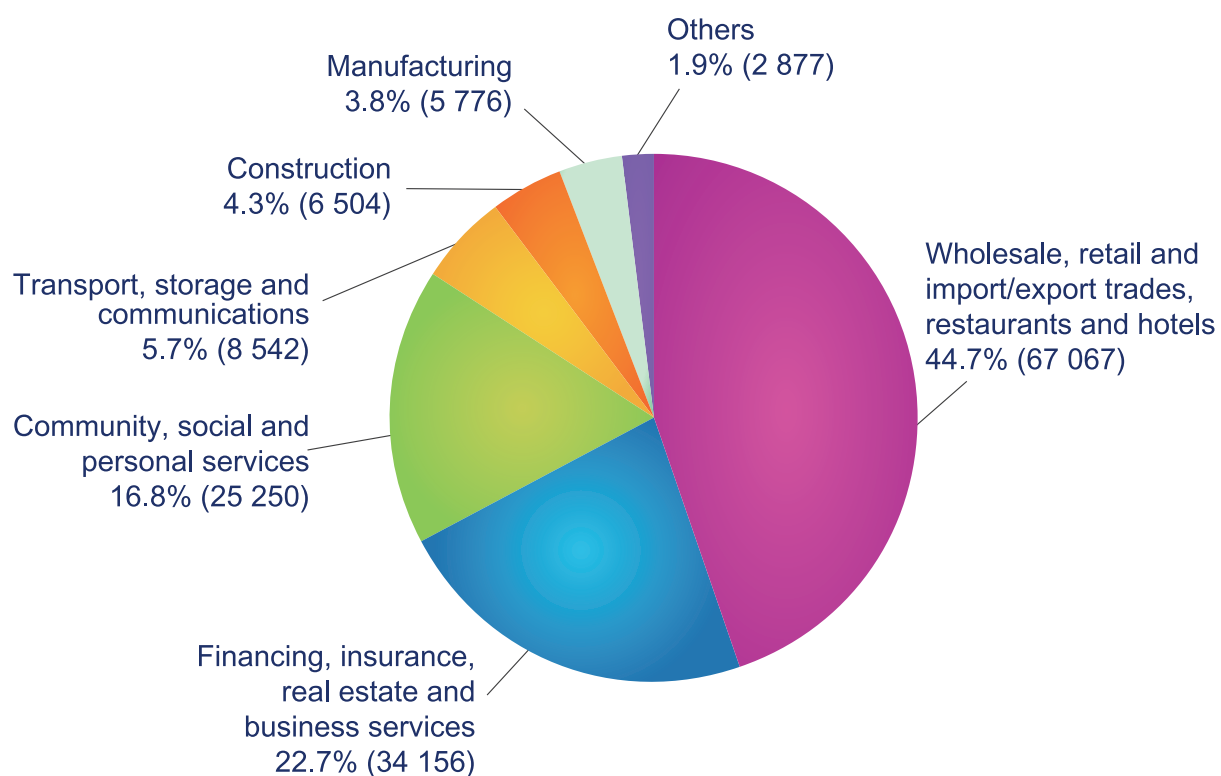
## Appendix 6.1

### Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2023

Key Indicators of Work		Number
I.	<b>Inspections to workplaces conducted by Labour Inspectors</b>	<b>150 172</b>
II.	<b>Employees' compensation claims received</b>	<b>41 758</b>
III.	<b>Sick leave clearance interviews for injured employees conducted</b>	<b>38 473</b>
IV.	<b>Assessment of loss of earning capacity of injured employees</b>	
	Ordinary assessment	15 950
	Special assessment	0
	Review assessment	4 552
V.	<b>Applications for payment under the Protection of Wages on Insolvency Fund processed</b>	<b>3 904</b>
VI.	<b>Cases related to imported workers under the Supplementary Labour Scheme/Enhanced Supplementary Labour Scheme investigated</b>	<b>119</b>
VII.	<b>Applications for reimbursement of maternity leave pay processed</b>	<b>7 198</b>
VIII.	<b>Convicted summonses on wage offences</b>	<b>819</b>

## Appendix 6.2

### Number of Inspections Conducted by Labour Inspectors in 2023 by Major Economic Sector



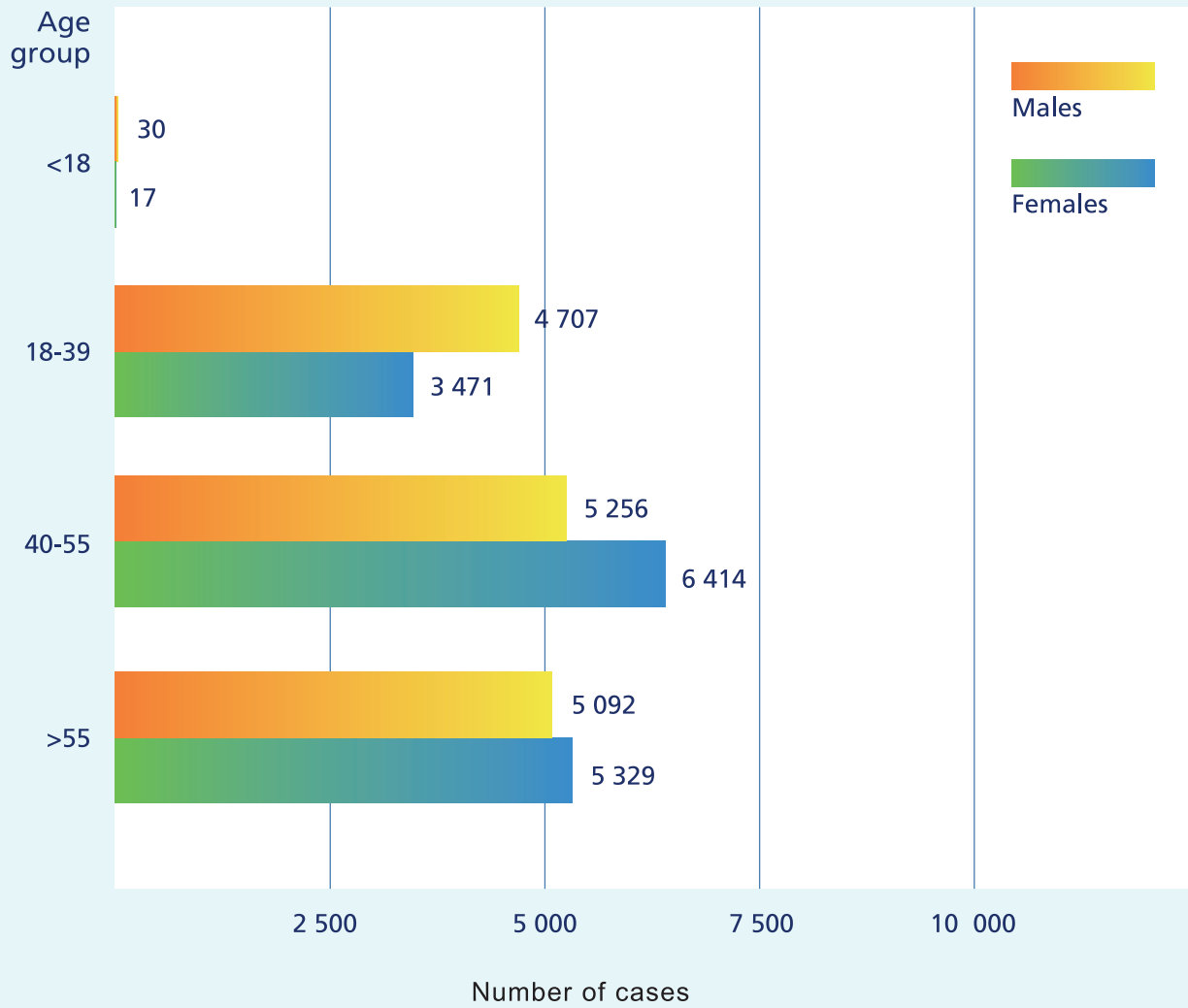
**Total number of inspections : 150 172**

Figures in brackets indicate the number of related inspections

Economic sector	Number of inspections	Percentage
<b>Wholesale, retail and import/export trades, restaurants and hotels</b>	67 067	44.7%
<b>Financing, insurance, real estate and business services</b>	34 156	22.7%
<b>Community, social and personal services</b>	25 250	16.8%
<b>Transport, storage and communications</b>	8 542	5.7%
<b>Construction</b>	6 504	4.3%
<b>Manufacturing</b>	5 776	3.8%
<b>Others</b>	2 877	1.9%
<b>Total number of inspections</b>	<b>150 172</b>	

### Appendix 6.3

## Number of Cases Reported under the Employees' Compensation Ordinance in 2023 by Sex and Age\*

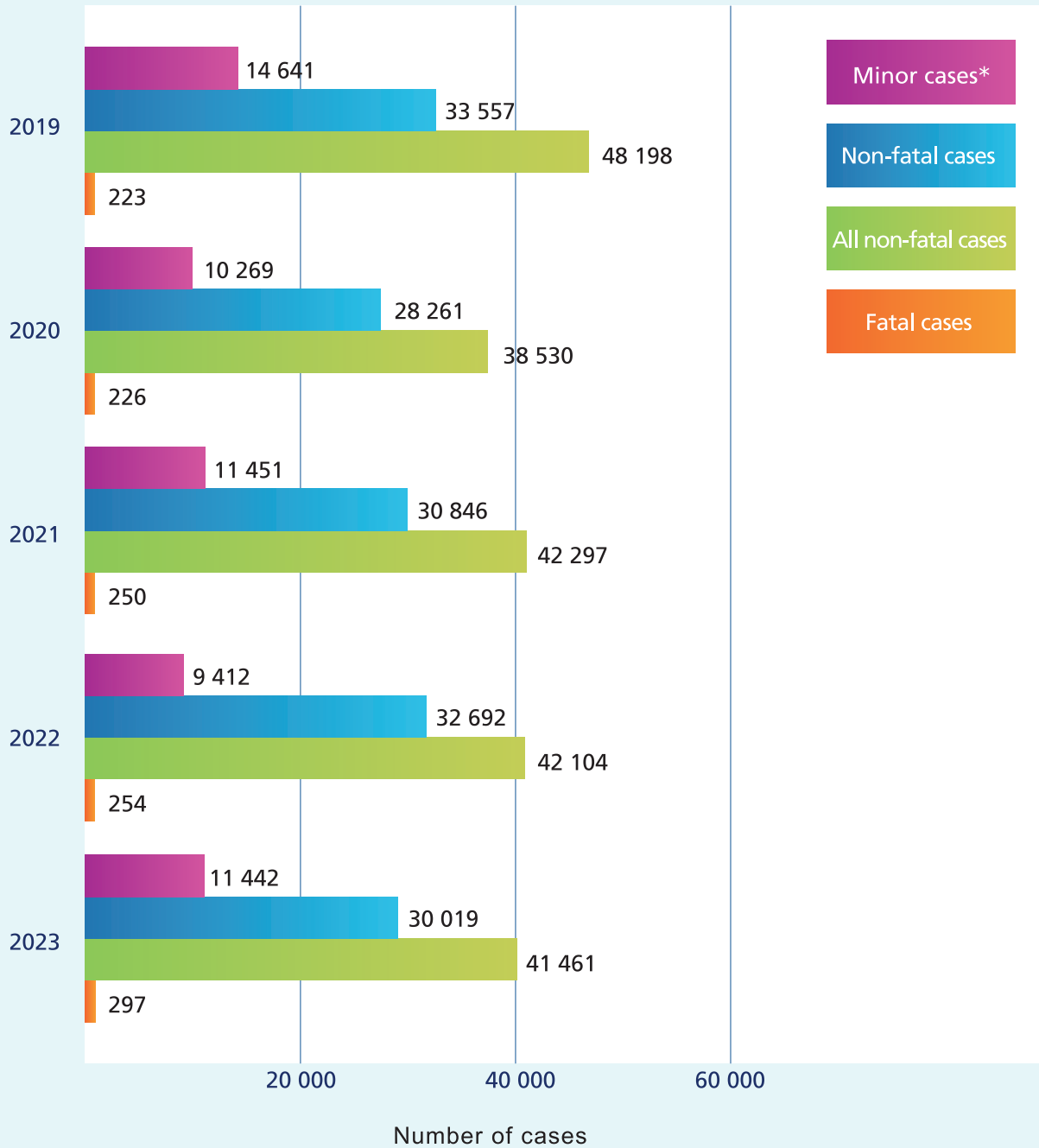


Age group	Males	Females
<18	30	17
18-39	4 707	3 471
40-55	5 256	6 414
>55	5 092	5 329

\* The figures have not included 11 442 cases involving sick leave of not exceeding three days.

## Appendix 6.4

### Number of Cases Reported under the Employees' Compensation Ordinance from 2019 to 2023



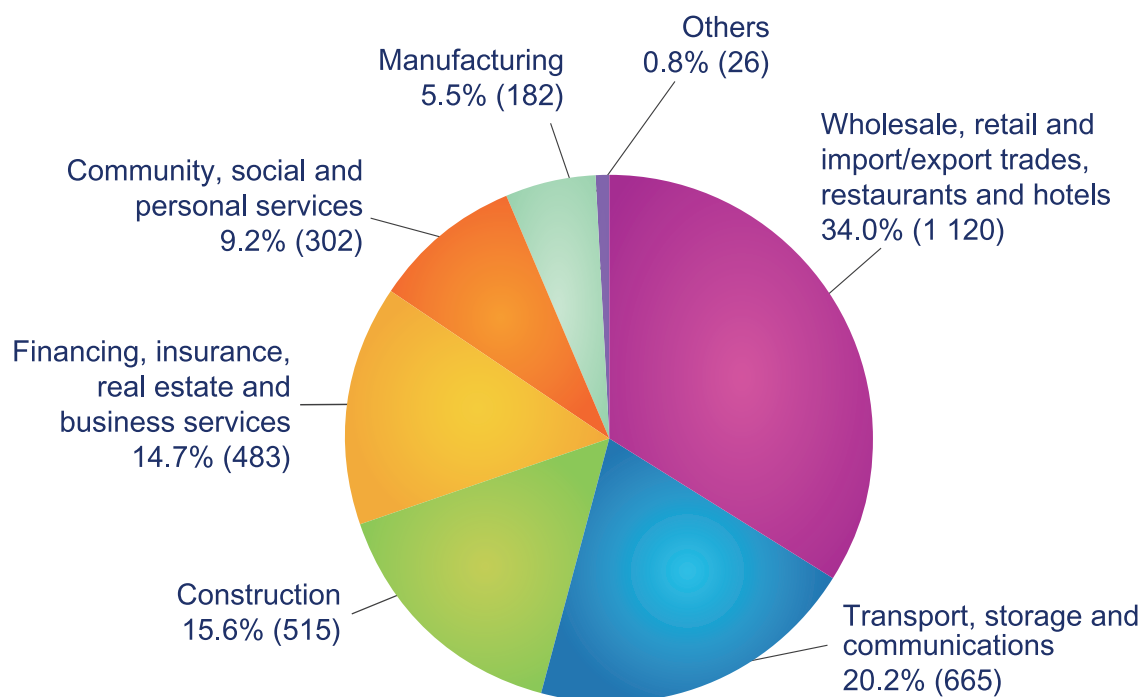
Year	Minor cases*	Non-fatal cases	All non-fatal cases	Fatal cases
<b>2019</b>	14 641	33 557	48 198	223
<b>2020</b>	10 269	28 261	38 530	226
<b>2021</b>	11 451	30 846	42 297	250
<b>2022</b>	9 412	32 692	42 104	254
<b>2023</b>	11 442	30 019	41 461	297

\* Minor cases refer to cases involving sick leave of not exceeding three days.



## Appendix 6.5

### Number of Applications to the Protection of Wages on Insolvency Fund received in 2023 by Economic Sector



**Total number of applications: 3 293**

Figures in brackets indicate the number of related applications

Economic Sector	Number of applications	Percentage
<b>Wholesale, retail and import/export trades, restaurants and hotels</b>	1 120	34.0%
<b>Transport, storage and communications</b>	665	20.2%
<b>Construction</b>	515	15.6%
<b>Financing, insurance, real estate and business services</b>	483	14.7%
<b>Community, social and personal services</b>	302	9.2%
<b>Manufacturing</b>	182	5.5%
<b>Others</b>	26	0.8%
<b>Total number of applications</b>	<b>3 293</b>	

## Appendix 7.1


### List of the 31 International Labour Conventions Applied to Hong Kong

Convention No.	Title
2.	Unemployment Convention, 1919
3.	Maternity Protection Convention, 1919
11.	Right of Association (Agriculture) Convention, 1921
12.	Workmen's Compensation (Agriculture) Convention, 1921
14.	Weekly Rest (Industry) Convention, 1921
17.	Workmen's Compensation (Accidents) Convention, 1925
19.	Equality of Treatment (Accident Compensation) Convention, 1925
29.	Forced Labour Convention, 1930
32.	Protection against Accidents (Dockers) Convention (Revised), 1932
42.	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934
81.	Labour Inspection Convention, 1947
87.	Freedom of Association and Protection of the Right to Organise Convention, 1948
90.	Night Work of Young Persons (Industry) Convention (Revised), 1948
97.	Migration for Employment Convention (Revised), 1949
98.	Right to Organise and Collective Bargaining Convention, 1949
101.	Holidays with Pay (Agriculture) Convention, 1952
105.	Abolition of Forced Labour Convention, 1957
108.	Seafarers' Identity Documents Convention, 1958
115.	Radiation Protection Convention, 1960
122.	Employment Policy Convention, 1964
124.	Medical Examination of Young Persons (Underground Work) Convention, 1965
138.	Minimum Age Convention, 1973
141.	Rural Workers' Organisations Convention, 1975
142.	Human Resources Development Convention, 1975
144.	Tripartite Consultation (International Labour Standards) Convention, 1976
148.	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977
150.	Labour Administration Convention, 1978
151.	Labour Relations (Public Service) Convention, 1978
160.	Labour Statistics Convention, 1985
182.	Worst Forms of Child Labour Convention, 1999
MLC	Maritime Labour Convention, 2006

## Appendix 7.2

### Participation in Major International Labour Organisation Activities and Contacts with Other Labour Administrations in 2023

Month	Activities
<b>June</b>	The Secretary for Labour and Welfare led a tripartite team comprising representatives from the Government, employers and employees to attend the 111th Session of the International Labour Conference held in Geneva, Switzerland, as part of the delegation of the People's Republic of China.
<b>July</b>	The China Enterprise Confederation visited the LD to understand the latest development of labour matters in the HKSAR.
<b>October</b>	The Deputy Commissioner for Labour (Labour Administration) led a delegation to visit the Labour Affairs Bureau of the Macao SAR Government to exchange views on issues relevant to importation of labour and the protection for employees.
<b>November</b>	The Deputy Commissioner for Labour (Occupational Safety and Health) led a delegation to attend the 23rd World Congress on Safety and Health at Work organised by the International Labour Organisation, the International Social Security Association and the SafeWork NSW in Sydney, Australia.



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