

Chapter 6

Employment

Hong Kong has a world-class workforce that is intelligent, adaptable and hardworking. The Government makes every effort to keep it that way by safeguarding workers' rights and benefits, ensuring their workplaces are safe and healthy, and by fostering a harmonious relationship between employers and employees.

Hong Kong's hard working, adaptable workforce is one of its most treasured assets. The Government spares no effort in ensuring that Hong Kong workers stay motivated and skilful to contribute to the city's economic competitiveness. There are, however, challenges to be addressed, particularly that of rising unemployment and dwindling job opportunities, caused by the global economic slowdown and uncertain economic outlook. The Government adopts a multi-pronged strategy to meet these challenges. The plan includes upgrading workers' skills to make them more employable and competitive, improving the business environment and introducing measures to create jobs.

During the year, the Employees Retraining Board offered over 100 000 training places to help those seeking job change and the unemployed to re-enter the labour market. The Government also continued to offer special help to the less competitive workers.

The Labour Department has introduced a series of market-oriented employment initiatives for job seekers. These include the Employment Programme for the Middle-aged, the Work Trial Scheme, the Youth Pre-employment Training Programme, the Youth Work Experience and Training Scheme, the Youth Employment Start and the Work Orientation and Placement Scheme for job-seekers with disabilities. In addition, job fairs are held and job-matching services are provided to help job seekers to enter or re-enter the job market.

The Government promotes good employer-employee relations, protects the rights and improves the benefits of employees in line with Hong Kong's socio-economic development, as well as guards the safety, and protects the health of employees at work.

Labour Market Situation

Hong Kong's labour force comprised 3.65 million people in 2008 — 53.4 per cent men and 46.6 per cent women, representing a rise of 0.5 per cent over 2007.

The majority, or 87.1 per cent, of people employed were in the service sectors: 33.5 per cent in wholesale, retail and import and export trades, restaurants and hotels; 26.6 per cent in community, social and personal services; 16.6 per cent in financing, insurance, real estate and business services; and 10.4 per cent in transport, storage and communications. Only 4.6 per cent worked in the manufacturing sector, in which about one-quarter of people employed were in the printing and publishing industry.

Employment Situation

Overall, the labour market improved in 2008, despite the global economic downturn which affected it in the last quarter of 2008. The unemployment rate decreased from 4 per cent in 2007 to 3.6 per cent in 2008, while the underemployment rate fell from 2.2 per cent in 2007 to 1.9 per cent in 2008. Total employment rose by about 35 000, from 3 483 800 in 2007 to a new high of 3 518 800 in 2008.

Employment Earnings

In 2008, 13.9 per cent of people with jobs were earning less than \$5,000 a month, while the percentage of people earning \$30,000 and over was 12.7. The median monthly employment earnings rose by \$400 from \$10,100 in 2007 to \$10,500 in 2008. In 2008, the median monthly employment earnings for higher-skilled workers such as managers and administrators, professionals and associate professionals was \$20,000, while those with lower-skilled was \$8,000.

Wages

Wage rates are calculated on a time basis, either daily or monthly, or on an incentive basis according to the volume of work performed. The average wage rate for employees up to the supervisory level, including daily-rated and monthly-rated employees, increased by 0.7 per cent in money terms between December 2007 and December 2008. After discounting changes in consumer prices, the average wage rate dropped by 0.6 per cent in real terms. In December 2008, the average monthly wage rate for supervisory, technical, clerical and miscellaneous non-production workers in the wholesale, retail and import and export trades, restaurants and hotels sector was \$11,846. Based on the wage indices, the average wage rate for this group increased by 0.7 per cent in money terms, but dropped by 0.6 per cent in real terms, compared with December 2007.

Over the same period, the average wage rate in the manufacturing sector decreased by 0.2 per cent in money terms, and decreased by 1.5 per cent in real terms. The average daily wage in this sector was \$319 for craftsmen and operatives.

Labour Administration and Services

The Labour Department is headed by the Commissioner for Labour. It formulates and implements labour policies, enforces labour legislation, provides free employment services to employers and job seekers, promotes harmonious labour relations and responsible trade unionism, safeguards employees' rights and benefits, and promotes the occupational safety, health and welfare of the workforce.

Labour Legislation

The Labour Department administers Hong Kong's labour laws. Labour legislation, supplemented by administrative measures, provides the basis for the enforcement of the rights and obligations of employers and employees, and in so doing, also enables Hong Kong to meet internationally accepted labour standards.

In 2008, the Pneumoconiosis (Compensation) Ordinance was amended to make cancerous mesothelioma a compensable disease, and the ordinance was retitled the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (PMCO) accordingly.

The PMCO and the Employees' Compensation Ordinance (ECO), also started in 2008, recognise the treatment, examination and certification given by registered Chinese medicine practitioners to workers seeking compensation under the two ordinances.

There were 5 030 prosecutions for breaches of various ordinances and regulations administered by the Labour Department in 2008. These resulted in fines totalling \$18,138,250.

International Labour Affairs

Hong Kong applies 41 international labour conventions of the International Labour Organisation (ILO). These conventions lay down standards that have a significant influence on the formulation of Hong Kong's labour laws.

Hong Kong continued to participate actively in ILO activities during the year, keeping itself abreast of international labour issues. In June, a team of Hong Kong government, employer and employee representatives took part in the 97th Session of the International Labour Conference as part of the China delegation. Representatives from Hong Kong also attended other ILO seminars and workshops during the year.

Labour Advisory Board

The Labour Advisory Board is a high-level and representative tripartite consultative body. It advises the Commissioner for Labour on labour matters and ILO conventions and recommendations. The board comprises 12 members, six representing employers and six representing employees. The Commissioner for Labour is the ex officio chairman.

The board has five standing committees to deal with employees' compensation, employment services, occupational safety and health, labour relations and implementation of international labour standards respectively. There is, in addition, a

working group under the board to deal with applications for labour importation under the Supplementary Labour Scheme.

Employment Services

The Labour Department provides a wide range of free employment and recruitment services to job seekers and employers through a network of 12 Job Centres, a Telephone Employment Service Centre, a Central Recruitment Unit and a Job Vacancy Processing Centre. Round-the-clock employment services are provided through the Interactive Employment Services (iES) website (www.jobs.gov.hk), which recorded over 940 million page views in 2008, or an average page view of 2.57 million per day.

The department also organises large-scale and district-based job fairs to help job-seekers find jobs and employers to recruit staff. For major closure/redundancy cases, the department runs a hotline for enquiries and special counters at Job Centres to provide priority referral and job matching services to retrenched employees.

During the year, 168 740 job-seekers registered with the Labour Department. The number of private sector vacancies displayed by the Labour Department in 2008 rose to 671 770, or 20 per cent up on 2007. A job placement figure of 146 308 was achieved in 2008, 8 per cent higher than the 135 489 in 2007.

Employment Programme for the Middle-aged

Under the programme, employers who engage eligible middle-aged people and provide them on-the-job training are given a training allowance of \$1,500 per month per trainee for up to three months by the Government. At year-end, 42 511 middle-aged job-seekers were employed under the programme.

Work Trial Scheme

In 2008, a total of 2 167 job-seekers, with exceptional difficulties finding jobs, took part in a work trial scheme run by the Government to help them find employment.

On completion of the one-month trial, each participant receives \$5,000 from the Labour Department plus \$500 from the organisation for which he or she worked.

Transport Support Scheme

A transport support scheme was launched in 2007 to provide time-limited transport subsidy to the unemployed, needing financial help, and to low-income workers. The subsidy is also given to the unemployed living in the four remote districts of Tuen Mun, Yuen Long, North and Islands to encourage them to look for jobs and continue working. The eligibility criteria were relaxed in July and the duration of subsidy extended to 12 months.

In addition, eligible applicants can claim an On-the-job Transport Allowance of \$600 per month for up to 12 months and a Job Search Allowance of up to \$600 on

a reimbursement basis. At year's end, the scheme had received 27 081 applications for which \$203 million was earmarked for successful applicants and \$58.10 million was paid out.

Helping the Disabled Find Jobs

The Labour Department's Selective Placement Division helps people with disabilities to integrate into the community through open employment. It provides free employment counselling and placement services to people with hearing or visual impairment, the physically handicapped, chronically ill, mentally handicapped, ex-mentally ill and people with specific learning difficulties and attention deficit/hyperactivity disorders. The division launched a series of events in 2008 to help these people secure jobs. It registered 3 327 such job seekers and found work for 2 490 of them during the year. The placement rate was 74.8 per cent.

The Labour Department has been running a Work Orientation and Placement Scheme since 2005 to improve the employment prospects of people with disabilities by giving them pre-employment training. Employers participating in the scheme receive a monthly allowance from the Labour Department, equal to 50 per cent of what they pay the disabled employee each month (subject to a maximum of \$3,000) for up to three months. By the end of the year, 1 236 people had undergone pre-employment training and 1 223 had found work.

Employment Agencies

The Labour Department's Employment Agencies Administration enforces Part XII of the Employment Ordinance and the Employment Agency Regulations which empower the department to inspect employment agencies to ensure they comply with the law, investigate complaints against the agencies and carry out other watchdog roles. It issued 1 949 employment agency licences and refused one application during the year.

Preparing People for Work

Youth Employment Support

The Labour Department set up two youth employment resource centres called 'Youth Employment Start' in December 2007 and March 2008 respectively to provide one-stop career advisory and support services to young people aged between 15 and 29. The centres provide career assessments, career guidance, value-added training, support services for the self-employed, and labour market information to help young people plan their careers, enhance their job prospects, and lend them support in carrying out their own businesses.

By the end of 2008, the two centres provided services to 63 636 young people.

Skills Upgrading Scheme

A \$400-million Skills Upgrading Scheme (SUS), set up in 2001 to provide focused skills training for in-service workers to adapt to the changing economic environment, continues to work well. By the end of 2008, more than 11 000 classes

had been held and more than 240 000 training places were provided under the scheme.

The domestic and personal services industry joined the scheme in 2008, bringing to 26 the number of industries participating in the scheme.

Youth Pre-employment Training Programme

The Youth Pre-employment Training Programme (YPTP), launched in 1999 to enhance the employability of school leavers, aged between 15 and 19, through employment-related training, workplace attachment, careers counselling and support services, continues to work well. Some 5 100 trainees took part in this year's YPTP programme which ended in October. The current (2008-09) programme is being carried out in two phases. Phase One which started in September 2008, has already attracted over 2 800 participants.

Youth Work Experience and Training Scheme

For young people, aged between 15 and 24 with no university degree, the Labour Department has a Youth Work Experience and Training Scheme (YWETS) that provides them with six to 12 months' on-the-job training. The department is in continual touch with private and public sector employers to see if they have vacancies for trainees.

The Labour Department also commissions non-governmental organisations to carry out induction courses for these young people and to help them plan their careers, identify jobs that suit them, prepare them for job interviews, and to help them adapt to their working environment after they have secured their jobs.

By the end of 2008, some 40 450 young people had received on-the-job training and 18 870 found other jobs in the market.

To enable them to receive the most from their training, trainees are allowed to move between the YPTP and YWETS at different stages of a programme year.

Employees Retraining Scheme

The Employees Retraining Board (ERB) is a statutory body set up under the Employees Retraining Ordinance in 1992. Its members include employer and employee representatives, people connected with vocational training, retraining, manpower planning, and Government officials.

The ERB is a funding and co-ordinating body. It provides training via a network of about 70 training bodies in 280 training centres located throughout Hong Kong. Its courses are market-driven and employment-oriented.

It currently offers about 300 courses conducted at Qualifications Framework Levels One to Four for 23 industries helping trainees to gain vocational skills and recognised qualifications. The ERB also places a lot of emphasis on teaching generic skills, such as Chinese, English, Putonghua, Numeracy, and IT Applications, as well as on training to enhance personal attributes and life skills.

To ensure accreditation of the ERB courses by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications and their recognition under the Qualifications Framework, the ERB has been strengthening its quality assurance mechanism and standardising the practical skill assessments of its courses.

To provide diverse training and employment support services to the community, the ERB runs a Training Resource Centre in Kowloon East and a pilot one-stop Training-cum-Employment Resource Centre in Kowloon West. To enhance the employment opportunities of its graduates, the ERB has developed two service brands, namely, 'Healthcare Massage Integrated Scheme' and 'Integrated Scheme for Local Domestic Helpers' through which services can be obtained. The services include domestic help, post-natal care, infant and child care, elderly care and health care massage.

The Government stopped providing recurrent subvention to the ERB this year. Since then, its main income has come from the Employees Retraining Levy collected from employers of imported workers who include foreign domestic helpers. The levy goes to the Employees Retraining Fund (ERF), which is administered by the ERB. The ERB should be able to rely on what is left over in the ERF to support its operations during the five-year suspension of Government subvention which started on August 1.

Continuing Education Fund

A \$5 billion Continuing Education Fund was launched in June 2002 to subsidise adults who wish to pursue continuing education and training courses in specified sectors/domains, or courses designed in accordance with the specifications of competency standards drawn up for respective industries and registered under the Qualifications Register. Eligible applicants are reimbursed 80 per cent of their fees, up to \$10,000 per person, on successful completion of a reimbursable course or module forming part of the course. Over 451 000 applications had been received by the end of 2008.

Labour Relations

Labour relations in Hong Kong remained harmonious. In 2008, the Labour Department's Labour Relations Division handled 120 trade disputes, a fall of 3 per cent from 2007. There were four work stoppages, resulting in the loss of 1 408 working days. The average loss was 0.46 working days per 1 000 salaried employees and wage earners. The average loss of working days per 1 000 employees and wage earners in Hong Kong is among the lowest in the world. During the year, the division handled 20 623 claims for wages and other employment-related benefits or entitlements. This represented a decrease of 5 per cent from 2007. The division settled 72.7 per cent of all disputes and claims it handled in 2008 — the highest success rate in 14 years.

The Labour Department organises a wide variety of activities such as talks, seminars and exhibitions to enhance public understanding of the Employment

Ordinance. It also produces a wide range of free publications for the public. Information is also disseminated through the department's website and the media.

The department promotes tripartite dialogue at the industry level by setting up committees comprising employers, employees and labour officials. The department has set up nine tripartite committees to deal with matters concerning the catering, construction, theatre, logistics, property management, printing, hotel and tourism, cement and concrete, and retail industries.

At the enterprise level, the department promotes good labour management practices and effective communication. Eighteen human resources managers' clubs have been established. During the year, experience-sharing sessions and briefings were organised for members.

In order to assist employees in maintaining a balance between work and family responsibilities, the department has been actively promoting family-friendly employment practices (FFEP) through seminars, exhibitions, etc. During the year, 20 newspaper supplements carried real-life stories on the implementation of FFEP and other good people-management measures. The purpose of the supplements was to encourage wider adoption of family-friendly practices in the workplace.

Trade Unions

The Registry of Trade Unions administers the Trade Unions Ordinance and promotes good and responsible trade union management. Once registered, a trade union becomes a body corporate and enjoys immunity from certain civil suits.

In 2008, 28 new unions were registered, bringing the number of registered trade unions to 796 (comprising 752 employee unions, 19 employers' associations and 25 organisations comprising employees and employers). There are also four registered trade union federations. Declared membership of employee unions over the past five years has remained around 670 000. The trade union participation rate was around 21 per cent over the same period.

About half of the employee unions are affiliated to four major labour organisations registered under the Societies Ordinance. They are the Hong Kong Federation of Trade Unions (178 unions), the Hong Kong and Kowloon Trades Union Council (32 unions), the Hong Kong Confederation of Trade Unions (77 unions), and the Federation of Hong Kong and Kowloon Labour Unions (64 unions).

Protection of Wages on Insolvency Fund

The Protection of Wages on Insolvency Fund provides ex gratia payment to employees who are owed wages and other termination benefits by insolvent employers. Its funds are from an annual levy imposed on business registration certificates. The levy was reduced from \$600 to \$450 in March. The fund covers arrears of wages not exceeding \$36,000 accrued during a period of four months preceding the applicant's last day of service; wages in lieu of notice of termination of employment of up to \$22,500 or one month's wages, whichever is less; and severance payment of up to \$50,000 plus 50 per cent of any entitlement in excess of \$50,000.

In 2008, the fund received 6 448 applications for ex gratia payment, 33 per cent up on last year's 4 836 applications. During the year, the fund paid out \$96 million to 4 911 applicants, and recorded a surplus of \$371 million.

Employees' Rights and Benefits

The Employment Ordinance provides for various employment-related benefits and entitlements to employees. Apart from statutory requirements, employers and employees are free to negotiate the terms and conditions of employment.

Since December 2000, all employers have had to enrol their employees in Mandatory Provident Fund schemes, which are regulated by the Mandatory Provident Fund Schemes Authority. At the end of the year, 99.8 per cent of employers have joined the schemes.

Labour Conditions

The employment of children under 15 is generally prohibited by law. Subject to stringent rules, children aged 13 and 14 may be employed in non-industrial establishments. Young people aged between 15 and 17 may work in industrial establishments, subject to regulations governing their employment conditions. Specific provisions under labour legislation protect workers' safety, health and welfare.

Labour inspectors conduct rigorous inspections of workplaces to make sure employers are complying with the laws that safeguard the rights and benefits of workers, and that employers possess valid employees' compensation insurance policies. Labour inspectors also check employees' proof of identity during their visits and work with the Police and the Immigration Department to combat illegal employment. During the year, 186 interdepartmental operations were carried out. The department also publicised widely its complaints hotline (2815 2200) to encourage people to report illegal employment activities.

Companies providing services to the Government under service contracts which rely heavily on the deployment of non-skilled workers are required to sign a standard employment contract with the workers. The contract helps safeguard the rights and benefits of the non-skilled workers.

Enforcement Against Wage Offences

In 2008, the Labour Department took vigorous enforcement action against employers who failed to pay wages due to their employees and adopted measures in preventing wage defaults. The department secured convictions for 958 summonses relating to wage offences. Three company responsible persons and one employer were jailed or given suspended sentences for wage defaults.

Employees' Compensation

Hong Kong's employees' compensation system adopts the 'no-fault' principle whereby compensation is payable irrespective of whether the injury, occupational disease or death is the employee's fault. The Employees' Compensation Ordinance covers injuries or death caused by accidents arising from, and in the course of,

employment or by specified occupational diseases. An employer must be in possession of a valid insurance policy to cover his liabilities both under the ordinance and common law.

A 'Voluntary Rehabilitation Programme' initially drawn up in 2003 to help construction workers injured at work to recover faster through better care, has now been extended to all industries in phases.

The Labour Department assists injured employees and the families of deceased employees to obtain compensation from their employers under Employees' Compensation Ordinance (ECO). It also administers a scheme that provides interest-free loans to workers injured in job-related accidents. In 2008, loans totalling \$46,589 were made to four injured employees and to the dependents of deceased employees.

The Employees Compensation Assistance Scheme helps the injured employees, or family members of deceased employees to obtain compensation from defaulting employers. The scheme is financed by a levy imposed on all employees' compensation insurance policies taken out by employers.

During the year, the Labour Department held seminars, distributed leaflets, and made announcements on TV and radio to help employers and employees better understand their rights and obligations under the scheme.

The Pneumoconiosis (Compensation) Ordinance was amended this year to make cancerous mesothelioma a compensable disease and was accordingly re-titled Pneumoconiosis and Mesothelioma (Compensation) Ordinance. Pneumoconiosis and/or mesothelioma sufferers are eligible for compensation under the ordinance administered by the Pneumoconiosis Compensation Fund Board. Those diagnosed before the Pneumoconiosis (Compensation) Ordinance went into effect in 1981 can apply for ex gratia benefits from the Government under the Pneumoconiosis Ex Gratia Scheme.

At year's end, 2 030 pneumoconiosis and/or mesothelioma sufferers were receiving payments under either the ordinance or the ex gratia scheme. Family members of 97 pneumoconiosis sufferers who died as a result of the disease were also granted compensation during the year.

The Occupational Deafness Compensation Board administers the Occupational Deafness Compensation Scheme which compensates employees who have worked in specified noisy occupations and are suffering from noise-induced deafness. In 2008, the board approved 58 such applications and paid out \$7.4 million in compensation. It approved 305 applications for hearing aids, costing \$680,000. The board also runs rehabilitation programmes for people with impaired hearing caused by their jobs. In 2008, the board provided 532 such programmes.

Wage Protection Movement

The Government joined hands with the business community and the labour sector in October 2006 to launch a Wage Protection Movement (WPM) to provide

wage protection for cleaning workers and security guards through voluntary and non-legislative means.

Although an overall review in mid-October 2008 found that the WPM did bring about a fresh understanding of 'wage protection' and appreciation of 'corporate social responsibility', only a little more than half (52 per cent) of the relevant workers benefited from it. As a result, the Government decided to legislate for a statutory minimum wage instead.

Legislating for a Statutory Minimum Wage

Some members of the business community and the labour sector are of the view that if the Government introduces a statutory minimum wage, employees in all trades and industries should be covered at the same time. Noting that cleaning workers and security guards are not the only low-income earners and that there is job mobility among low-income workers, the Government has decided to seek Legislative Council approval for an across-the-board statutory minimum wage.

Minor Employment Claims Adjudication Board

The Minor Employment Claims Adjudication Board determines claims under the Employment Ordinance and in accordance with individual employment contracts. The board hears and judges employment claims involving not more than 10 claimants for sums of money not exceeding \$8,000 per claimant. During the year, the board dealt with 2 044 claims and approved awards amounting to \$4.6 million.

Labour Tribunal

The Labour Tribunal is part of the Judiciary and provides a quick, inexpensive and informal method of adjudicating disputes between employees and employers, which are not within the exclusive jurisdiction of the Minor Employment Claims Adjudication Board.

During the year, 7 199 cases were filed with the tribunal, of which 7 132 were initiated by employees and 67 by employers. Of these, 59.4 per cent were referred by the Labour Department's Labour Relations Division after unsuccessful conciliation attempts. In 2008, the tribunal dealt with 4 867 cases and granted awards totalling more than \$254 million, or 1 199 cases and \$11 million less than in 2007.

Imported Workers

Employment of Professionals

Non-local people with special talent and professionals who possess special skills, knowledge or experience of value to Hong Kong may take up employment in Hong Kong if they have secured a job that cannot be readily taken up by the local workforce and receive a remuneration package broadly commensurate with those in the market. Bona fide business people and entrepreneurs who can make substantial contribution to the economy are also welcome to establish a presence in Hong Kong, bringing with them capital and expertise. During the year, 33 210 people with special talent and professionals from more than 100 countries/territories were admitted for employment.

Employment of Non-local Students

Starting from May 19, 2008, non-local fresh graduates of full-time locally-accredited programmes run at degree level or above may apply to stay for one year in Hong Kong to take up employment. Those who have previously obtained a degree or higher qualification in a full-time locally-accredited programme in Hong Kong may also apply to return to Hong Kong for employment so long as the job they have secured is of the kind commonly taken up by degree-holders and is remunerated at market rates.

Supplementary Labour Scheme

Under the Supplementary Labour Scheme, employers may apply to import workers to fill vacancies at technician level or below. The Government's policy on importation of labour is based on two cardinal principles:

- local workers must be given priority in filling job vacancies available in the market; and
- employers who are genuinely unable to recruit local workers to fill their vacancies should be allowed to import workers.

All applications made under the scheme are considered on a case-by-case basis. To ensure priority of employment for local workers, each application to import workers has to comply with three procedural requirements before it is submitted to the Labour Advisory Board for consideration and to the Government for a decision.

The requirements are: advertising in newspapers, job-matching by the Labour Department for four weeks, and organising retraining courses with the assistance of the Employees Retraining Board for local workers, if appropriate.

At the end of 2008, there were 1 338 imported workers working in Hong Kong.

Foreign Domestic Helpers

Foreign domestic helpers may be admitted if they have relevant working experience and if their employers are Hong Kong residents who are prepared to offer terms of employment as stipulated in the standard employment contract prescribed by the Government, including free and suitable accommodation, free meals or meal allowance in lieu, wages not lower than the minimum allowable wage set by the Government, free passage from and to the helper's place of origin and free medical treatment. Employers must also meet the requirements on income and assets.

The demand for foreign domestic helpers has increased steadily over the past three decades. At the end of 2008, there were 256 597 such helpers in Hong Kong, an increase of 4.5 per cent over the 245 531 in 2007. About 49 per cent were from the Philippines and 48 per cent from Indonesia.

Occupational Safety and Health

The Labour Department strives to improve safety and health in the workplace through legislation, law enforcement, publicity and promotion, as well as education and training. Safety and health at work in Hong Kong has improved significantly in the past decade as a result of the concerted effort of all parties concerned, including employers, employees, contractors, safety practitioners and the Government.

In 2008, the number of occupational injuries stood at 41 900, representing a drop of 34 per cent from the 63 526 cases in 1998. The number of industrial accidents also fell from 43 034 in 1998 to 14 932 in 2008, down by 65.3 per cent. In the construction industry, the number of accidents recorded a substantial decrease of 84.5 per cent from 19 588 in 1998 to 3 033 in 2008. During the year, 204 cases of occupational diseases were confirmed, representing a cumulative fall of 78 per cent from the 948 cases in 1998. The most common occupational diseases were silicosis, occupational deafness and tenosynovitis (inflammation of a tendon sheath) of the hand or forearm.

Enforcement

The Labour Department inspects workplaces regularly to ensure compliance with occupational safety and health (OSH) legislation, with particular attention to high-risk industries and organisations with poor safety records. Apart from routine inspections, the department also conducts special enforcement campaigns targeting accident-prone industries and work situations.

In 2008, enforcement campaigns were carried out in relation to building repair and maintenance, construction, catering, cargo and container handling, site vehicles and mobile plants, tower cranes, as well as fire and chemical safety. During the year, 1 245 improvement notices were issued and 171 suspension notices served on companies and organisations, requiring them to remove imminent risks to life and limb at their workplaces.

A total of 1 947 prosecutions were heard under the Occupational Safety and Health Ordinance, the Factories and Industrial Undertakings Ordinance (FIUO) and their subsidiary regulations. The conviction rate was 85.8 per cent and fines totalled more than \$12 million.

During the year, the Labour Department stepped up inspections of food and beverage factories, vehicle repair shops, printing factories and other industrial establishments where chemical and ergonomic hazards are common to ensure that the safety and health of workers in these places are adequately protected. Altogether, 181 warnings and 15 improvement notices were served on these establishments.

In the wake of a serious accident in July 2007 involving the collapse of a tower crane, the Labour Department and the Construction Industry Council jointly drew up a document, entitled 'Guidelines on Safety of Tower Cranes', laying down standards and practices for enhancing safe tower crane operations. Adopted in June, the guidelines set standards for checking tower cranes before they are put up, for better

site supervision, as well as for the qualification and experience of specialist contractors and others responsible for crane operations. The department would draw reference to the standards laid down in the guidelines, and would suspend work at sites where cranes pose imminent danger to life, or where the standards laid down in the guidelines are not met.

Promotion and Education

In 2008, the department launched a series of campaigns to stress the importance of safety at construction sites following a rise in accidents involving work-at-height and repair, maintenance and alteration and additions (RMAA) works. The message was hammered across at seminars, talks, exhibitions, and through TV and radio programmes and publications. The department also continued promoting the Occupational Safety Charter and Workplace Hygiene Charter, promulgated to promote self-regulation and commitment of both the employers and employees in creating and maintaining a safe and healthy work environment. It also launched safety award schemes for the construction and the catering industries.

The Labour Department's Occupational Safety and Health Training Centre conducts courses and talks to help workers better understand the occupational safety and health laws. In 2008, the centre organised over 800 such courses and talks for some 16 000 employees.

The department also gives talks to employers and employees at their workplaces. In 2008, over 1 400 health talks were delivered, attended by some 42 900 people.

Occupational Health Clinics

The Labour Department's Kwun Tong Occupational Health Clinic and Fanling Occupational Health Clinic provide clinical occupational health services for workers. The two clinics conducted 12 999 clinical consultations during the year.

Occupational Safety and Health Council

The Occupational Safety and Health Council, established in 1988 to foster a safe and healthy working environment through training, promotional, consultancy, research and information services.

To strengthen management and frontline staff's knowledge of safety, the council offers a wide range of courses on the subject. In 2008, a total of 35 092 people attended 1 545 training courses specially designed for managers, supervisors and frontline workers. In addition to courses on risk-management and safe operations in high-risk industries, new programmes on advanced concepts were launched to encourage organisations to improve their safety performance in a more systematic way. For example, workshops on Safety Climate Index were introduced to help company managers understand their employees' views on occupational safety and health and gain a clearer picture of the company's safety culture. In addition, training courses were arranged to enhance employees' awareness of work safe behaviour and ways to prevent accidents at work.

Promoting safety culture is another of the council's key missions. In collaboration with stakeholders, the council launches campaigns tailored for different industries to stress the importance of safety in the workplace, particularly high-risk operations such as work-at-height and renovation works.

The council actively engages in research to study OSH problems faced by businesses and the community. This helps the council to develop strategies and directions to promote high safety and health standards at all workplaces more effectively.

It collaborated with the Consumer Council during the year to evaluate the safety standards of ladders available in the market.

The council maintains links with OSH organisations around the world to keep up-to-date with the latest practices and strategies adopted to protect the safety and health of people at workplaces. In December 2008, the council played host to the 16th Quadripartite Occupational Safety and Health Seminar which was attended by OSH experts from the Mainland, Taiwan, Macao and Hong Kong.

OSH culture is also being fostered in public housing estates, schools and care homes under the Safe Community Project. During the year, the council developed a 'Community Injury Surveillance System' to help schools, property management companies and other organisations, to formulate injury prevention programmes.

The council continues to provide small and medium enterprises (SMEs) with technical advice and financial support to help them improve OSH at their establishments and financial support for acquiring protective devices and work safety equipment.

Websites

Labour and Welfare Bureau: www.lwb.gov.hk

Education Bureau: www.edb.gov.hk

Security Bureau: www.sb.gov.hk

Labour Department: www.labour.gov.hk

Occupational Safety and Health Council: www.oshc.org.hk

Immigration Department: www.immd.gov.hk

Employees Retraining Board: www.erb.org