

LCQ12: Supporting the employment of elderly and middle-aged persons

Following is a question by the Hon Chau Siu-chung and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (January 8):

Question:

On supporting the employment of elderly and middle-aged persons, will the Government inform this Council:

(1) in each of the past seven years, of (a) the number of placements eligible for joining the Employment Programme for the Elderly and Middle-aged (EPEM) and, among them, (b) the number of cases in which employers had submitted the preliminary application for on-the-job training (OJT) (and its percentage), and (c) the number of cases which had been approved in principle (and its percentage in the total number of cases of preliminary application for OJT), and set out in the table below a breakdown by age group of the employees concerned (i.e. aged (i) 40 to 44, (ii) 45 to 49, (iii) 50 to 54, (iv) 55 to 59, (v) 60 to 64, and (vi) 65 and above);

Age group of the employees concerned	2018					2024		
	(a)	(b)	(c)	(a)	(b)	(c)	(a)	(b)	(c)
(i)									
.....									
(vi)									
Total									

(2) given that according to Report No. 72 of the Director of Audit published by the Audit Commission in 2019, the EPEM Coordination Office (the Office) will mail invitation letters to all eligible employers for joining EPEM, and if the employers have not responded, the Office will follow up by calling at a maximum of three times, of the number of eligible employers to whom the Office mailed in each of the past seven years and, among them, the respective numbers of employers who (i) responded that they intended to participate in EPEM, (ii) did not intend to participate in EPEM, and (iii) did not respond; for those employers who did not respond, of the respective numbers of cases in which the Office had called them for once, twice and thrice and, among them, the respective numbers of employers who (i) responded that they intended to participate in EPEM, (ii) did not intend to participate in EPEM, and (iii) did not respond;

(3) among the approved-in-principle cases mentioned in (1)(c), of the number of cases in which OJT allowance was granted in each of the past seven years

and its percentage, with a tabulated breakdown by (a) age group (i.e. aged (i) 40 to 44, (ii) 45 to 49, (iii) 50 to 54, (iv) 55 to 59, (v) 60 to 64, and (vi) 65 and above), (b) form of employment (i.e. full-time or part-time), (c) industry, (d) job type, (e) remuneration level, and (f) education level of the employees concerned; of the major reasons for employers not being granted OJT allowance;

(4) among the cases mentioned in (3) in which OJT allowance was granted, of the respective numbers and percentages of cases in each of the past seven years in which the employees stayed in their posts upon completion of OJT for (i) four months to less than six months and (ii) six months or more, together with a breakdown by (a) age group (i.e. aged (i) 40 to 44, (ii) 45 to 49, (iii) 50 to 54, (iv) 55 to 59, (v) 60 to 64, and (vi) 65 and above), (b) form of employment (i.e. full-time or part-time), and (c) industry of the employees concerned;

(5) whether it will consider stepping up publicity on EPEM and raising the ceiling of OJT allowance, so as to enhance the effectiveness of EPEM;

(6) as there are views pointing out that some employers are unwilling or even refuse to employ older job seekers who meet the job requirements, whether it has compiled statistics on the respective numbers of enquiries and complaints received by the Equal Opportunities Commission (EOC) and the Labour Department (LD) in the past seven years about age discrimination in employment, together with a breakdown by (i) age group of the persons making the enquiries or lodging the complaints, and (ii) nature of the cases; how the EOC and LD had followed up on such cases respectively; whether the authorities will consider drawing reference from the practices of other advanced economies and legislating against age discrimination in the workplace, so as to ensure that job seekers or employees can enjoy equal treatment in the workplace regardless of their age;

(7) of the respective numbers of applications received and successful placement cases under the Re-employment Allowance Pilot Scheme (REA Scheme) launched on July 15 last year, together with a breakdown by (a) age group (i.e. aged (i) 40 to 44, (ii) 45 to 49, (iii) 50 to 54, (iv) 55 to 59, (v) 60 to 64, and (vi) 65 and above), (b) industry, and (c) job type of the participants; given that employers hiring participants of the REA Scheme may also join EPEM, of the number of cases in which the employers concerned had submitted the preliminary application for OJT; and

(8) whether it will consider formulating performance indicators in respect of raising the labour force participation rate of older persons of the local workforce and enhancing the relevant policy measures, so as to further release the potential labour force?

Reply:

President,

The Labour Department (LD) provides diversified employment services,

including implementing various employment programmes, to promote and support the employment of the elderly and middle-aged.

In response to the Member's question and after consulting the Equal Opportunities Commission (EOC), the reply is provided as follows:

(1) and (2) The LD implements the Employment Programme for the Elderly and Middle-aged (EPEM) (known as the Employment Programme for the Middle-aged before September 2018) to encourage employers to hire persons aged 40 or above, and provide them with on-the-job training (OJT). Employers engaging each job seeker aged 60 or above who is unemployed or has left the workforce will receive a maximum OJT allowance of \$5,000 per month for six to 12 months; and engaging those aged 40 to 59 will receive a maximum OJT allowance of \$4,000 per month for three to six months.

From 2018 to 2024 (as at November), there were respectively 2 574, 3 061, 2 260, 3 340, 2 707, 3 873 and 4 055 eligible placements under EPEM each year. The LD issued letters to employers of all the above cases to promote EPEM. In the same period, the LD received respectively 565, 872, 929, 1 659, 1 530, 1 980 and 2 350 preliminary applications under EPEM each year, and issued 518, 818, 923, 1 640, 1 528 1 949 and 2 351 approvals-in-principle each year (approvals-in-principle of some preliminary applications were issued in the next year). The LD does not keep the statistics of making promotional calls to employers. The numbers of placements and preliminary applications received, and approvals-in-principle issued with a breakdown by age of employees are at Annex 1 and Annex 2.

(3) From 2018 to 2024 (as at November), the numbers of placements with OJT allowance granted by the LD were respectively 355, 547, 644, 1 177, 1 201, 1 546 and 1 666 each year (OJT allowance of some approval-in-principle cases was granted in the next year). Breakdowns of placements with OJT allowance granted by age, mode of employment, industry, occupation, salary range and educational attainment of employees are at Annex 3.

The main reason for placements which were given approvals-in-principle but not granted with OJT allowance was that the OJT periods undergone by employees were less than one month. Also, some applications for OJT allowance submitted in 2024 are still under processing.

(4) The LD conducts surveys regularly to find out the retention status of those placed into employment under EPEM. According to the surveys conducted up to October 2024, a breakdown of placements in which employees receiving OJT from 2018 to September 2023 under EPEM with OJT allowance granted by retention period is at Annex 4. The LD will conduct another round of survey later to find out the updated retention status of the participants. For employees who have completed OJT, the LD does not keep breakdowns of their placements by age, mode of employment and industry.

(5) The LD promotes the employment of the elderly and middle-aged and encourages employers to join EPEM through various channels, including promoting EPEM to employers who use LD's recruitment services, screening TV

Announcements in the Public Interest of the Government, placing advertisements in newspapers and public transportation facilities, as well as setting up thematic webpages on LD's Interactive Employment Service website.

The LD has uniformly extended the duration of OJT period under EPEM to six months for engaging participants of the Re-employment Allowance Pilot Scheme (REA Scheme) aged 40 to 59; and 12 months for engaging participants aged 60 or above. The total amount of OJT allowance payable to these employers will increase correspondingly. At present, the LD has no plan to raise the upper limit of monthly OJT allowance under EPEM.

(6) The Government is committed to eliminating any concept or act of discrimination through various measures. In the area of employment, we encourage employers to follow the principle of "Count on Talent, Not Age in Employment" and apply consistent selection criteria to assess the abilities of job seekers or employees.

The numbers of enquiries and complaints about age discrimination in employment received by the LD from 2018 to November 2024 are at Annex 5. The LD does not maintain other breakdowns such as the age of complainants. Upon receiving complaints, the LD instigates timely follow-up actions and investigations, including questioning the employers concerned about their interview process and employment criteria. Employers are reminded to base their selection process solely on the job requirements and the capabilities of job seekers.

The LD has published the Practical Guidelines for Employers on Eliminating Age Discrimination in Employment (Practical Guidelines) since January 2006, setting forth guidelines and practices for eliminating age discrimination in recruitment and the workplace. The Government has also been promoting equal employment through various measures, such as broadcasting promotional videos and distributing the Practical Guidelines and leaflets to raise public understanding and awareness about the importance of eliminating age discrimination in employment. Eliminating age discrimination in employment through legislation involves very complex issues, requiring careful consideration of the impacts on Hong Kong's socio-economic situation and labour market, etc. The Government currently has no plan to legislate against age discrimination in employment.

The EOC is responsible for enforcing the anti-discrimination ordinances in Hong Kong, namely the Sex Discrimination Ordinance (Cap. 480), the Disability Discrimination Ordinance (Cap. 487), the Family Status Discrimination Ordinance (Cap. 527) and the Race Discrimination Ordinance (Cap. 602). According to the EOC, since age is not a protected characteristic under the above anti-discrimination ordinances, the EOC does not have the authority to handle complaints related to age discrimination, hence not maintaining relevant statistics. The numbers of enquiries about age discrimination in employment received by the EOC from 2018 to November 2024 are at Annex 6.

Upon receiving enquiries, the EOC explains to the enquirers the

protection scope of the anti-discrimination ordinances and, where appropriate, provides information such as the LD's enquiry or assistance hotline to the enquirers. The EOC does not maintain a breakdown of enquirers by age group and the nature of their cases.

(7) and (8) The LD launched the three-year REA Scheme on July 15, 2024, to encourage persons aged 40 or above who have not been in paid employment for three consecutive months or more to join the employment market, so as to unleash the potential labour force. Each eligible participant who has worked for 12 consecutive months will receive a maximum re-employment allowance up to \$20,000.

From July 15, 2024, to November 30, 2024, the REA Scheme had recorded over 27 000 participants and more than 8 000 placements. The number of REA placements with breakdowns by age, industry and occupation of employees is Annex 7. In the same period, 548 preliminary applications under EPEM were received from employers engaging participants of the REA Scheme.

The LD will closely monitor the implementation of the REA Scheme and timely explore the required enhancement measures. As placements may be affected by various factors such as the economy, labour market situation and the personal circumstances of job seekers, it is inappropriate to set key performance indicators for the labour force participation rate.