

LCQ16: Importation of Labour

Following is a question by the Hon Jimmy Ng and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (November 22):

Question:

To alleviate the manpower shortage across different sectors, the Government has successively launched the Special Scheme to Import Care Workers for Residential Care Homes (Special Scheme), the Labour Importation Scheme for the Construction Sector, and the Labour Importation Scheme for Transport Sector – Public Light Bus/Coach Trade. In this connection, will the Government inform this Council:

(1) given that the visa/entry permit for imported labour under the aforesaid schemes is valid for a period of 24 months or the full term of the Standard Employment Contract, whichever is shorter, whether the Government will study the extension of the maximum period and allow the renewal of work contracts upon their expiry; if so, of the details; if not, the reasons for that;

(2) given the overwhelming response in the first round of applications under the Special Scheme, whether the authorities will increase the scheme quotas in the light of the usage of quotas under the scheme and the manpower needs of the trade concerned; if so, of the details; if not, the reasons for that;

(3) given that some public light bus associations have pointed out that importing Mainland drivers is costly, whether the Government will render assistance to employers importing drivers under the aforesaid scheme (e.g. exempting such employers from paying the Employees Retraining Levy); if so, of the details; if not, the reasons for that;

(4) whether it will, by modelling on the aforesaid schemes for the construction and transport sectors, introduce labour importation schemes for other sectors experiencing labour shortages; if so, of the details; if not, the reasons for that; and

(5) as the Government has earlier announced the enhancement of the coverage and operation of the Supplementary Labour Scheme (SLS), including suspending the general exclusion of the 26 job categories as well as unskilled/low-skilled posts from SLS for two years, of the number of applications received since the implementation of SLS and the number of workers involved, with a breakdown by job category; among such applications, the number of those involving the 26 job categories and the respective numbers of workers involved?

Reply:

President,

The Government is highly concerned about the supply and demand of

manpower in Hong Kong. On the premise of ensuring the employment priority for local workers, the Government allows increasing the number of imported workers on an appropriate and regulated basis, with a view to alleviating the manpower shortage in individual sectors/job categories. These are time-limited and non-permanent measures. The Government will continue to adopt a multi-pronged strategy, including promoting training and retraining, providing appropriate employment support services and driving technology adoption for productivity uplifting, etc., so as to address the manpower shortage problem.

Having consulted the concerned bureaux and departments, I provide a consolidated reply to the Hon Ng's question as follows:

(1) Under the previous arrangement for the Supplementary Labour Scheme (SLS), if the approved employment contract period of an imported worker exceeded 12 months (the maximum duration was 24 months), the Immigration Department (ImmD) first granted an initial 12-month visa/entry permit. The imported worker needed to apply for extension of stay during the employment contract period to cover the remaining employment period. The Government has reviewed the above procedures. The visas/entry permits issued by the ImmD for imported workers approved under the Special Scheme to Import Care Workers for Residential Care Homes (Special Scheme), the Labour Importation Schemes for Construction Sector and Transport Sector (Sector-specific Schemes), and the Enhanced Supplementary Labour Scheme (ESLS) will be valid for 24 months upfront or the whole employment contract period, whichever is shorter. Employers may apply for fresh quotas/approvals before the expiry of the employment contracts of imported workers if they wish to retain the imported workers in employ. Relevant bureaux and departments will assess whether relevant employers still have the need for employing imported workers in accordance with the requirements of relevant schemes.

(2) To address the problem of manpower shortage in residential care homes (RCH) for the elderly and persons with disabilities, and enhance the quality of service of the RCH sector, the Government launched the Special Scheme in June this year, with the total quotas for imported care workers capped at 7 000, including 4 000 plus imported care workers approved under the SLS who are working in Hong Kong. The Special Scheme invites applications for the additional 3 000 quotas by batches and has so far approved 1 003 quotas. The remaining quotas will be allocated by batches. The Government will continue to monitor the manpower needs of the RCH sector and review the effectiveness of the Special Scheme in a timely manner.

(3) To address the long-term shortage of drivers in the public light bus (PLB) and coach trades, the Government launched the Labour Importation Scheme for Transport Sector – PLB/coach trade (Transport Sector Scheme) in July this year, under which the PLB/coach trade is suitably allowed to apply for importation of drivers with a quota ceiling of 1 700. The wage levels of imported workers under the Transport Sector Scheme must be no less than the median monthly wages of relevant posts in Hong Kong, and the quota ceiling accounts for only around half of the labour shortage within the trade. The purpose of the said features is to allow importation of labour where suitable on the premise of safeguarding the employment priority for local workers.

A stakeholder consultative group, comprising the Transport Department (TD), relevant transport trade associations and labour representatives, has been set up to gauge the views of the relevant stakeholders on the implementation of the Transport Sector Scheme. The TD will continue to maintain communication with the consultative group and closely monitor the implementation of the Transport Sector Scheme.

According to the Employees Retraining Ordinance (Cap. 423) (the Ordinance), employers approved of importing low-skilled workers should contribute towards the fees for training and retraining of the local workforce. Employers of imported workers are required to pay the Employees Retraining Levy according to the Ordinance, and such levy is transferred to the Employees Retraining Fund administered by the Employees Retraining Board for providing training and retraining to local workers. The levy is amounted to \$400 per imported worker per month. The total amount payable by employers is \$400 multiplied by the number of months covered by each employment contract up to a maximum of 24 months. The above arrangement of the levy meets the policy objective of assisting the retraining of local workers. The Government currently has no plan to adjust such arrangement for employers of particular sectors.

(4) The Labour Department (LD) launched the ESLS on September 4 this year to enhance the coverage and operation of the SLS, including suspending the general exclusion of 26 job categories as well as unskilled/low-skilled posts from the SLS for two years. The ESLS allows enterprises in sectors outside the Special Scheme and Sector-specific Schemes to have greater flexibility in applying for labour importation.

(5) From September 4 to October 31, the LD received a total of 1 113 applications under the ESLS seeking to import 12 745 workers, including 7 255 workers falling within the previous 26 job categories generally excluded from labour importation. The classification of job categories may be subject to revisions upon verification of information from employers. A breakdown of the number of imported workers applied for by job category is at Annex.