

Transcript of remarks by SLW on increasing number of statutory holidays progressively

Following is the transcript of remarks by the Secretary for Labour and Welfare, Dr Law Chi-kwong, on increasing progressively the number of statutory holidays under the Employment Ordinance after attending a meeting of the Legislative Council (LegCo) Panel on Manpower this afternoon (January 19):

Reporter: About the statutory holidays proposal, why there is a lack of consensus between the employers and workers at the Labour Advisory Board (LAB)? Why pushing the proposal to the LegCo when there is no consensus? The second question, after learning from the moves today, how likely is that going to become a model for other labour issues such as the minimum wage as well?

Secretary for Labour and Welfare: On the issue of aligning the number of statutory holidays with general holidays, there is little difference in terms of whether we should align the two sets of holidays. There is very little difference in terms of when we should start this process. Yet, there is no consensus at all whether we can do it in a shorter or much longer time.

In making any decisions related to labour rights or labour benefits which affect the whole society, it is very important for us to consult the LAB, so that they would be able to arrive at some kind of consensus, and that is very difficult. Yet, when once a consensus is made, it is very important and in fact very useful, because if it can undergo a sort of negotiation process where the employers and employees can come to a consensus, it will be an important thing that the Government would keep to that consensus. At the end of the day, to make any changes in our legislation, it is the responsibility of the Government to make proposals, not the LAB, so at the end we still have to bear that responsibility.

In the past, when there is a consensus between the employers and employees through the LAB, the Government will see it as very important. When the LegCo makes amendments to such changes, we may have to go back to the LAB. But then, when we have to make a judgement as for the situation where there is apparently no consensus, and it is not likely there will be a consensus in a foreseeable future, then the Government would have the responsibility to make a decision, to take the proposal forward.

What we are proposing, we consider it will definitely resolve the conflicts or controversy for more than a decade about this alignment of statutory holidays with general holidays. It is important to take into consideration the concerns of the employers, particularly those micro-enterprises and also individual families who employ foreign domestic helpers. So, the proposal that we have made is to complete this process of alignment

within about eight years. Indeed, it is a slow process, but we would consider it would be much easier for the micro-enterprises and the employers as a whole to adjust to such changes. It would be more likely to be accepted by both the employers and employees in the LegCo. So, we will proceed after consulting the Panel on Manpower with the legislative process. When we complete our internal process, we will present the Bill to the LegCo.

(Please also refer to the Chinese portion of the transcript.)