



香港社會服務聯會
The Hong Kong Council of Social Service

贊助人
行政長官 曾蔭權先生
PATRON

The Chief Executive the Hon. Donald TSANG Yam-kuen

行政總裁
方敏生女士
CHIEF EXECUTIVE
Ms. Christine M. S. FANG

4th March 2011

Mr. Patrick NIP,
Director of Social Welfare,
Social Welfare Department,
213 Queen's Road East,
Wanchai, Hong Kong.

Dear

Patrick

Minimum Wage Ordinance (the Ordinance)

The Minimum Wage Ordinance will be in force on 1st May, 2011. The Sector has great concerns over the enforcement of this minimum wage level on the salary provision of some subvented posts set by the Department and the operation modes of some services. As such, I am writing for your clarifications and proposing some suggestions for your consideration.

1. Salary of the central item posts, namely Program Assistant, Program Worker and Care Assistant - These posts are paid on stipulated monthly basis of \$5,000 to \$7,115 with paid meal hours, weekly rest days and public holidays. The Sector worries that the hourly salary rate of these posts as calculated to include all paid leave and meal hours would fall below the \$28 minimum hourly wage requirement. We hope the Department would make a thorough examination with the consideration of the conditions stated above of the salary scale of the said posts, raise their salaries to levels that comply with the Ordinance, and make subvention provision to NGOs in paying the revised salaries.
2. Small Group Home Service - At present, the subvention level of a small group home is calculated on the provision of having only one house parent on-site, meaning working 24 hours a day in a normal 5.5 days per week at the home taking care of the children living there. Could the Department clarify how the working hours of the house parent should be counted? If all hours of stay at the home are counted as work hours, what should be the minimum monthly salary to well comply with the \$28 minimum hourly wage requirement? The Department is requested to consider granting additional subsidy to the NGO service operators in order to cover the raised salary level of house parents to a level that is complying with the Ordinance.

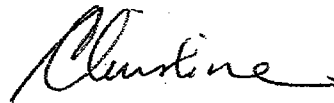


3. Services required 24 hours operation – All residential services require 24 hours operation and staff are required to stay on site to be on call when needed. Yet there is no working duty and staff on site is allowed to sleep. At present, each on site on call work mode are not counted as full working hours. They are counted either as one-fourth or one-fifth of the normal working hours. Would these 'on site on call' hours be treated as full working hours and NGOs have to pay these extra 'working hours'? Could the Department clarify the calculation with the Labor Department for the Sector? The alternative is to arrange staff in active work shift for less hours each shift. Yet such arrangement would incur higher operation costs and manpower limitation. We hope the Department could work together with NGOs in sorting out the hurdles to the change and review the subvention level to accommodate the change where necessary.

As you know, the Hospital Authority has already completed a thorough review on its employees' remunerations and set a monthly minimum wage of \$7,600 for its 12,000 non-technical employees. In view of the tight schedule in preparation for the necessary arrangements to comply with the Ordinance, your prompt response to our concerns is highly appreciated and I am looking forward to your forthcoming reply.

With best regards,

Yours sincerely,



Christine FANG
Chief Executive