

電子郵遞

通告

致：各機構會員

由：陳榮亮博士
業務總監(服務發展)



事由：法定最低工資跟進

日期：二〇一一年五月二十四日

就法定最低工資的實行，香港社會福利署於2011年4月26日向資助非牟利機構發出信件，當中提及實行最低工資對資助服務的影響及機構的應對方法。就此，香港社會服務聯會已於5月3日與社會福利署助理署長(津貼)及各服務的總社會工作主任會面交流意見，討論範疇包括：

- 有關兒童之家的補助金如何計算以符合最低工資的要求、
- 兒童及青少年院舍服務於指定地方候命時間納入工作時數、
- 輔助宿舍不同殘疾類別的支援計劃差異及
- 最低工資青少年服務的工作模式影響。

署方承諾會安排相關服務營運者與各服務科討論跟進。

社署家庭及兒童福利科已於2011年5月11日與兒童之家營運代表會面，詳細討論有關補助24小時運作的兒童之家向宿舍家長提供薪津以符合最低工資條例要求的計算及探討改變有關營運模式的可行性。雙方最後同意將宿舍家長「留宿候命」時數，以最低工資計算，來釐訂補助金金額。署方承諾於5月27日前確定的有關安排。

除此以外，社聯同兒童及青少年的院舍服務營運機構於2011年5月17日與社署津貼科、家庭及兒童福利科及青年及感化服務科會面。兒童及青少年的院舍服務營運機構表達現有人手編制未能容許以八小時一更輪班運作。而當最低工資條例將「留宿候命」時間界定為工作時數後，機構需給與同工「留宿候命」時間的工資，機構期望社署補貼這些額外開支。

社署經進一步了解各單位的營運細節後，於2011年5月20日再與業界進行討論。署方表示員工晚上「留宿候命」時間為工作時數計算一部份，同意需要合符最低工資的要求，但在各院舍之「留宿候命」人手比例上，與業界要求按院內家舍數目為計算留宿人手有差




異，未能達致共識，所以補助金金額仍未落實，需繼續跟進。

最後，社署青年及感化服務科將於5月30日與青少年服務機構召開會議，會議中將討論青少年服務在帶領露營/宿營活動時同工工時安排。

如就最低工資之討論有任何查詢或意見，歡迎致電 2864 2941 或電郵至 timothy.chan@hkcss.org.hk 與本人聯絡。本會將定期更新最低工資網頁之資料，歡迎瀏覽：
<http://www.hkcss.org.hk/cm/mls/minwage/>

MEMORANDUM

To : All Agency Members

From : Dr Timothy Chan 
Business Director (Service Development)

Re : Follow up on the Implementation of the Statutory Minimum Wage

Date : May 24, 2011

Further to the letter from the Social Welfare Department on the implementation of the Statutory Minimum Wage (SMW) to all subvented non-government organizations on April 26, 2011, the Hong Kong Council of Social Service arranged a meeting with Assistant Director (Subventions) and several Chief Social Work Officers on May 3, 2011. In the meeting, we clarified and exchanged views on the following issues:

- the supplement for small group homes in fulfillment of the SMW;
- the impact of the counting of 'on-site on call' hours as working hours to residential child and youth care services;
- the variation in supportive measures for supported hostel of different disability groups and;
- the work pattern for youth services.

The Department agreed to arrange separated meetings between operators and respective service branches to discuss the issues enlisted.

The meeting with officials from child welfare service in response to the concerns of small group home operators had been held on May 11, 2011. The sector expressed concerns on the calculation of supplement to NGOs in paying the house parents who stay 24 hours at the home taking care of the children in compliance with the SMW requirement and the possible adjustment in the operation mode were discussed. Both parties agreed the hourly rate of 'on site on call' hours would be calculated in accordance to the minimum wages standard as set by the Ordinance. The Department would confirm the exact level of supplement to be released to operators before the May 27, 2011.

The meeting for operators of residential services for children and youth with officials

from child welfare service, correctional service and subvention branch had taken place on May 17, 2011. In the meeting, operators uttered that the existing manpower provision did not allow their homes to operate in 'on-shift' mode. They hoped the Department could recognize the additional expenditure incurred by paying the 'on site on call' hours of their house parents. After further understanding of the operation details of the different homes, the Department held a follow up meeting with operators on May 20, 2011. The 'on site on call' would be treated as work hours and be paid in accordance to the minimum wage standard. However, there was difference in view of the staff ratio for providing 'on site on call' between the Department and operators. Operator requested the Department to count each dormitory in a home/hostel as one unit in calculation the manpower for 'on site on call'. Further discussion and negotiation were needed.

Last, Youth and Correction Branch and NGOs operating youth services have scheduled a meeting on May 30, 2011. The SMW arrangement for camping activities will be discussed in the meeting.

Should you have any comment and question to the captioned issue, please feel free to contact me at 2864 2941 or email to timothy.chan@hkcss.org.hk. Our website on minimum wages will be updated regularly, please feel free to visit at <http://www.hkcss.org.hk/cm/mls/minwage/>.