

WOMEN'S COMMISSION
Employment-Related Services and
Vocational Training and Retraining Programmes for Women

INTRODUCTION

This paper : -

- (a) provides Members with an overview of women's participation in Hong Kong's labour force;
- (b) informs Members of Labour Department's employment-related services for women;
- (c) briefs Members on the vocational training/retraining programmes available to women; and
- (d) invites Members' comments on existing services and programmes for women provided by Labour Department, Vocational Training Council and Employees Retraining Board.

HONG KONG WOMEN'S PARTICIPATION IN THE LABOUR FORCE

2. Increase in employment opportunities in Hong Kong, underpinned by rapid economic growth and development, has been conducive to the growing participation of women in the labour force over the past decade. In 2000, there were 1,422,900 female population aged 15 and above who were economically active. They accounted for 49% of this age group of female population and 42% of our labour force. The bulk of female labour force were in the age groups 20-29, 30-39 and 40-49. They together made up a total of 1,234,100 which was about 37% of the labour force, up from 30% in 1990. Please refer to Annex A for details.

3. Reflecting both the increasing aspiration of women to take up paid employment and the growing employment opportunities for women, the labour force participation rate for females in the 30-39 age groups have been rising steadily over the past decade from 53.9% in 1990 to 68.5% in 2000. The labour force participation rate for females aged 15-19 however fell over

the years from 26.1% in 1990 to 15.9% in 2000 as more young people preferred to pursue higher education and as education opportunities increased. The labour force participation rate for females aged 60 and above also fell from 9.7% in 1990 to 4.0% in 2000 as more people retired along with increasing affluence of the economy. This shows that females, just as males, are able to share the fruits of economic growth and prosperity. Please refer to Annex B for details.

4. In Hong Kong, males and females have equal access to all levels of education. The nine-year universal basic education introduced since 1978 has provided opportunities for all members of society, including women, to acquire the necessary knowledge and skills for their areas of pursuit. In 2000, around 344,500 or 25% of the female labour force had attained tertiary education, a significant increase from only 15% in 1990. The corresponding figures for the male workforce were 13% in 1990 and 23% in 2000. Please refer to Annex C for details.

5. The unemployment rate for females is also generally lower than that for males. In 2000, the unemployment rate for females and males were 4.0% and 5.6% respectively. In absolute terms, the number of unemployed females (57,600) was also much lower than that of males (110,700). Please refer to Annex D for details.

6. The proportion of female employees in total employment have been rising gradually over the past decade from 36% in 1990 to 42% in 2000. The increases in the number as well as proportion of female employees were particularly notable in the Community, Social and Personal Services' sector, a significant jump from 248,100 or 48% in 1990 to 477,300 or 63% in 2000. Please refer to Annex E for details.

7. In general, along with the expansion in education and training opportunities, there has been a steady rise in the proportion of women at the higher end of the occupation hierarchy and the proportion of female employees in the occupations as Managers and Administrators has also been rising steadily, which grew from 16% in 1993 to 25% in 2000. Please refer to Annex F for details.

8. Likewise, women have enjoyed a wider choice of occupations in recent years. More women have joined occupations which used to have a relatively high proportion of male workers. Over the past decade, employment opportunities for married women have been rising steadily. In 2000, there were 770,900 married women and they accounted for 24% of the employed population, up from 489,900 which accounted for 18% in 1990.

9. Along with widening employment opportunities, females have been enjoying a rapid increase in earnings. In the fourth quarter of 2000, the

median monthly employment earnings of females were 107% higher than that in 1990. This was greater than the corresponding figure of 83% for males as well as the 61% increase in consumer price inflation as measured by the composite Consumer Price Index over the same period. In the fourth quarter of 2000, the median monthly employment earnings of females (at \$8,500) amounted to 77% of the corresponding income for males, up from 68% ten years ago.

LABOUR DEPARTMENT

10. The Labour Department, headed by the Commissioner for Labour, implements labour policies and labour legislation to safeguard employees' rights and benefits and to protect employees' health and safety at work. The Department also provides free employment services to employers and job-seekers. Services provided by the Labour Department are gender neutral. The following employment-related services however are of particular relevance to women:

Employment services

11. The Employment Services Division of the Labour Department provides free employment services for job-seekers of both sexes through a network of 11 job centres, of which two are also employment and guidance centres for new arrivals. Through the Job Matching Programme, the Division conducts briefings, and provides an intensive job-matching and counselling service to unemployed job-seekers. It also carries out regular special promotional programme such as job bazaars and exhibitions at large public housing estates to attract job-seekers, especially women job-seekers to apply for vacancies. In 2000, the Division registered 154,194 job-seekers of which 49.5% were women. During the same period, a total of 35,039 direct placements were secured. Out of them 18,963 (54.1%) were women. A breakdown of successful placements for both sexes by job categories is at Annex G.

12. Since February 1999, the Labour Department has implemented a series of measures to assist local job-seekers to find jobs as domestic helpers. These include setting up special service counters; appointing designated placement officers to assist job-seekers looking for employment as domestic helpers in the neighborhood; organizing 'Domestic Helper Talk' regularly to brief job-seekers; and enhancing its dedicated Local Domestic Helpers webpage to facilitate users. Such an enhanced employment service is not dedicated to but are used mainly by women. In 2000, the Employment Services of the Labour Department registered 5,619 job-seekers looking for domestic helper posts and successfully secured 1,781 placements, representing a placement rate of 31.7%.

13. Since February 2001, the Labour Department has also launched the Re-employment Pilot Programme for the middle-aged which aims at assisting job-seekers aged above 40 in securing a sustainable job through pre-employment training, induction training and follow-up counseling services. Eligible female job-seekers, like their male counterparts, also participate in the programme. As at 15 June 2001, a total of 3,049 job-seekers participated in the Programme and among them, 1,754 were women. Among the pool, 343 job-seekers became re-employed of which 231 were women.

Maternity Protection

14. For female employees, the Employment Ordinance (Cap. 57) administered by the Labour Department provides for maternity protection as follows:

- maternity leave;
- payment for maternity leave;
- prohibition of termination; and
- prohibition of assignment of heavy, hazardous and harmful work.

For details of maternity protection for female employees, please refer to Annex H.

15. In 2000, the number of claims involving dismissal of pregnant women, handled by the Labour Department, is 124 compared with 183 in 1999 and 175 in 1998.

Foreign Domestic Helpers (FDH)

16. Up to 15 June 2001, the total FDH population in Hong Kong is 225,932. Out of them 221,650 (or 98.1%) were women and 68% of them were from the Philippines.

17. FDH's wages are under protection by employment contracts. All employers of FDHs in Hong Kong must pay FDHs no less than the Minimum Allowable Wages (MAW) in force when the contract was made. At present, the MAW is \$3,670 per month. The MAW required is the same for both sexes. FDHs are also entitled to benefits as laid down in the employment contracts, which include free accommodation, free return passage and free medical attention provided by their employers. On top, they enjoy the same rights and benefits as provided under labour legislation to local workers, which include rest days, statutory holidays, maternity protection etc. Furthermore, they are entitled to access to the conciliation service provided by the Labour Department in the event of employment related disputes with their employers and the adjudication service of the Minor Employment Claims Adjudication Board or the Labour Tribunal. FDHs of insolvent employers are also eligible

for ex-gratia payments from the Protection of Wages on Insolvency Fund. When abuse amounts to a crime, the Police would assist FDHs with investigation of the offence and take necessary prosecution action.

18. In special circumstances, e.g. abuse in maltreatment by their employer, FDHs may terminate their employment contracts without prior notice or payment in lieu. Where necessary, the Labour Department will assist them to pursue claims for their entitlements under the Employment Ordinance or employment contract. In 2000, the Labour Relations Division of the Labour Department handled 2,188 claims from FDHs in Hong Kong.

Discrimination against employment of female workers

19. There is no evidence supporting that female job-seekers encounter greater difficulty than their male counterparts in finding jobs. The Labour Department adopts proactive measures to eliminate discriminatory practices on recruitment. Job vacancies received by the Department are vetted carefully to ensure that no restrictive gender requirements are included. In case an employer stipulates such requirements, he will be required to remove them.

20. Our observation is that after years of promotion and public education, employers have accepted equal employment opportunities to job-seekers of both sexes. There is little economic incentive from the employers' perspective to deliberately turn away qualified job applicants for gender reasons as this will only limit their choice of qualified staff.

21. Generally, women in Hong Kong enjoy the same opportunities as men to participate in the labour force and in the job of their choice. Under the Sex Discrimination Ordinance administered by the Equal Opportunity Commission, equal access to opportunities for promotion, transfer or training is ensured for both sexes.

VOCATIONAL TRAINING AND RETRAINING PROGRAMMES FOR WOMEN

The Vocational Training Council

22. In Hong Kong, public-funded technical education at craft, technician and higher technician levels in all disciplines is provided through the Institute of Vocational Education (IVE) operated by the Vocational Training Council (VTC). In addition, VTC provides industrial training at all levels through its 20 training and development centres and a management development centre. These vocational institutions adopt a policy of equality for students/trainees of both sexes irrespective of their race, colour or ethnic

origin. The admission criteria for vocational education and training courses are based on level of education, aptitude and interest irrespective of gender. In fact, women's rights to vocational training are provided for in the Sex Discrimination Ordinance.

23. The VTC is a statutory body established in 1982 to provide technical education and industrial training programmes suited to the developing needs of Hong Kong. Courses offered by the IVE and the training and development centres are multifarious. There is a total of 1,235 training courses of different modes.

The Institute of Vocational Education

24. The IVE, which comprises nine campuses, provides technical education at higher technician, technician and craft levels in disciplines relevant to Hong Kong's industry, commerce and services. Courses offered include applied science; business administration; child care; computing and mathematics; construction; design, printing, textiles and clothing; electrical and electronic engineering; hotel, service and tourism studies; and mechanical, manufacturing and industrial engineering. At the technical and higher education level, for the year of 2000/2001, there are 20,300 students enrolled at full-time programmes, 3,800 at part-time day release courses, and 18,800 at part-time evening courses. At the craft level, the enrollments are 1,980 at full time programmes, 5,200 at part-time day release courses and 3,600 part-time evening courses.

25. Out of all the first year intakes in 1999/00 and 2000/01, more than 30% were females. For some courses in disciplines like applied science; business administration; child care; design, printing, textile and clothing; and hotel, service and tourism, more than 50% of new year-1 intakes were females. Statistics on the number of year-1 new students in these two years are at Annex I.

Training and Development Centres

26. The training and development centres provide industrial training in 16 disciplines ranging from automobile, electrical, electronic, printing, plastic, textile, metal working industries to wholesale, import & export and retail trades, information technology and financial services. Together these centres provide training to about 28,000 full-time trainees and 33,300 part-time trainees and 1,700 self-study trainees. In 1998/99 and 1999/00, more than 25% of these trainees were females.

27. Full-time courses of up to two years' duration are of the following three categories:

- pre-employment courses including the basic craft courses and technician foundation courses for F.3 and F.5 school leavers respectively;
- skills upgrading courses for in-service employees; and
- custom-designed courses at the request of individual employers and organisations.

28. Part-time courses are run by VTC to help equip employees with improved skills in meeting the requirements of their workplaces. Majority of these part-time courses are of short duration with a training span of less than 40 hours.

29. Statistics on the number and percentage of female trainees in full-time and part-time courses run by the training and development centres in 1998/99 and 1999/2000 are at Annexes J and K respectively. Courses which attract more than 50% of female trainees include those in wholesale/retail and import/export trades; financial services and hospitality.

Retraining Programmes by Employees Retraining Board (ERB)

30. The ERB is a statutory body set up in 1992. Its primary function is to administer the Employees Retraining Scheme which provides an extensive range of market-driven and placement-tied retraining programmes primarily for the unemployed aged 30 or above with no more than lower secondary education. Its mission is to provide quality retraining courses and services to the unemployed and the vulnerable workers in order to enhance their employability and to meet the needs of the Hong Kong economy.

31. To enable more unemployed persons to benefit from ERB's training programmes in the light of rising unemployment, the ERB has, since 1 April 1998, relaxed both the age and education requirements whilst retaining priority for the above target group. The ERB currently provides funding for 210 types of retraining courses conducted by over 50 approved training bodies at over 100 centres.

32. Over the past two years, the ERB provided about 79,000 retraining places annually, out of which about 74% were taken up by women. In terms of study mode, women enrollment represents about 67% of the full-day places, 87% of the half-day places and 74% of the evening places. Please refer to Annex L for details. Popular courses with more than 75% retrainees who are female include training in :-

- job search skills;
- general skills;
- computer;
- language;

- clerical skills; and
- skills of domestic helpers and personal care workers.

The placement rate of female graduates in placement-tied retraining programmes in 1999/2000 was 75% (with 18,823 placed out of a total of 25,097 graduates).

ADVICE SOUGHT

33. Members are invited to :-

- (a) note the current situation regarding women's participation in Hong Kong's workforce, Labour Department's employment related services for women and the vocation training/retraining programme available to women; and
- (b) give comments on the existing services and programmes for women provided by Labour Department, Vocational Training Council and Employees Retraining Council.

Education and Manpower Bureau

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Annex G

Employment services

就業服務

Breakdown of placement in 2000 by job categories and by gender:

在二零零零年按工作種類獲得就業的男性及女性人數的分佈：

Occupation 工作種類	Placements 獲得就業人數		Total 總數
	Male(男)	Female(女)	
Managers and Administrators 經理及行政人員	83	124	207
Professionals 專業人員	313	154	467
Associate Professionals 轉助專業人員	1553	1126	2679
Clerks 文員	5448	9528	14976
Service Workers 服務工作人員	690	869	1559
Shop Sales Workers 商店銷售人員	243	710	953
Agriculture, Animal Husbandry and Forestry Workers and Fishermen	96	27	123
Craft and Related Women 工藝及有關人員	1319	37	1356
Plants and Machine Operators and Assemblers 機台及機器操作員及裝配員	900	170	1070
Elementary Occupations 非技術工人員	5306	6154	11460
Unclassifiable 不可分類	125	64	189
Total 合計	16076	18963	35039

Maternity Protection
under Employment Ordinance (Cap. 57)

• **Maternity Leave**

A female employee employed under a continuous contract* immediately before the commencement of her maternity leave and having given notice of pregnancy to the employer is entitled to the following periods of leave: (i) a continuous period of 10 weeks' maternity leave; (ii) a further period equal to the number of days from the day after the expected date of confinement to the actual date of confinement, if confinement occurs later than the expected date of confinement; (iii) an additional period of leave for not more than four weeks if the employee suffers from illness or disability due to pregnancy or confinement.

• **Payment for Maternity Leave**

An employee employed under a continuous contract is eligible for maternity leave pay for a period of 10 weeks if she has been employed not less than 40 weeks immediately before the commencement of maternity leave. Maternity leave pay shall be equivalent to four-fifths of the employee's normal wages.

• **Prohibition of Termination**

It is an offence for an employer to dismiss a pregnant employee. Except for summary dismissal on serious disciplinary grounds or dismissal for reasons other than pregnancy during the probation period of not more than 12 weeks, an employer is not allowed to dismiss a female employee working under a continuous contract from the date on which she is confirmed pregnant by a medical certificate to the date on which she is due to return to work upon the expiry of her maternity leave. The employer is liable to prosecution and, on conviction, to a fine of \$100,000 and the employee is entitled to receive: (i) wages in lieu of notice; (ii) penal damages equivalent to one month's wages; and (iii) 10 weeks' maternity leave pay if, but for the dismissal, she would have been entitled to such payment. If the employer cannot provide a valid reason for the dismissal, the employee may further claim for remedies against the employer including reinstatement or re-engagement subject to mutual consent, or terminal payments and/or compensation up to \$150,000 if no order of reinstatement or re-engagement is made.

Note * An employee who has been employed by the same employer for four weeks or more and has worked at least 18 hrs in each week is regarded as being employed under a continuous contract.

- **Prohibition of Assignment of Heavy, Hazardous or Harmful Work**

If a pregnant employee produces a medical certificate with an opinion that she is unfit to handle heavy materials, work in places where gas injurious to pregnancy is generated, or do other work injurious to pregnancy, the employer may not allocate such work to her. If the employee is already performing such work, the employer shall within 14 days remove her from that work.