

CONTROLLING OFFICER'S REPLY

FHB(FE)331

(Question Serial No. 4470)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (000) Operational expenses

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)

Director of Bureau: Secretary for Food and Health

Question:

The Department provides public cleansing services mainly through outsourcing. Yet, it still needs to deploy manpower to monitor the quality of services provided by the contractors and has the responsibility to oversee whether the contractors have breached the labour laws or exploited the outsourced workers.

Please provide information on the following:

1. the number and ranks of civil servants involved as well as the expenditure required in overseeing the performance of cleansing contractors in respect of the various types of outsourced cleansing services;
2. the number of demerit points given and, among them, the number given for breaches of contractual obligations relating to wages in each of the past five years (i.e. from 2011-12 to 2015-16); and
3. the number of cases in which contractors were penalised for violating the Standard Employment Contract or the Employment Ordinance as well as the penalties imposed by the Department during the same period.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 146)

Reply:

1. The number of civil servants in the Food and Environmental Hygiene Department (the Department) involved in supervising the service performance of cleansing contractors, as at 29 February 2016, is as follows –

Rank of civil servants	No. of civil servants	Expenditure incurred
Health Inspector	67	These civil servants also perform other duties, such as law enforcement and venue management. There is no breakdown of expenditure by type of duties.
Overseer	27	
Senior Foreman	287	
Foreman	43	
Senior Hawker Control Officer	8	
Assistant Hawker Control Officer	19	
Total	451	

2. The number of demerit points registered against contractors by the Department in the past five years is as follows –

	2011-12	2012-13	2013-14	2014-15	2015-16 (as at 29 February 2016)
No. of demerit points	1(1)	2(1)	0	1(0)	0

The number of demerit points registered in connection with wages is given in brackets.

3. The number of breaches of the Standard Employment Contract or the Employment Ordinance (Cap. 57) committed by contractors in the past five years is as follows –

	2011-12	2012-13	2013-14	2014-15	2015-16 (as at 29 February 2016)
No. of cases	1	2	0	1	0

Under the demerit point system, any breach of contractual obligations in connection with wage level; daily maximum working hours; the signing of the standard employment contract with non-skilled workers; and the payment of wages by means of autopay to them will lead to the issuance of a default notice. Each default notice attracts one demerit point. For any contractor who has, over a rolling period of 36 months, accumulated three demerit points obtained on or after 1 May 2006 from one or more government departments, its tender offer for service contracts that rely heavily on the deployment of non-skilled workers will not be considered for the next five years. A contractor will also be debarred from tendering for such service contracts for a period

of five years if he has any conviction under the relevant sections of the Employment Ordinance (Cap. 57) and the Employees' Compensation Ordinance (Cap. 282), which individually carry maximum fines corresponding to Level 5 or higher within the meaning of Schedule 8 to the Criminal Procedure Ordinance (Cap. 221).

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