

CONTROLLING OFFICER'S REPLY

FHB(FE)262

(Question Serial No. 5181)

Head: (49) Food and Environmental Hygiene Department
Subhead (No. & title): (-) Not specified
Programme: (-) Not specified
Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)
Director of Bureau: Secretary for Food and Health

Question:

The Central Investigation Team (CIT) has been set up by the Department to follow up complaints against contractors' non-compliance with employment requirements. Please provide the following information with regard to the CIT in the past 3 years: i) the number of inspections conducted; ii) the number of workplaces inspected; iii) the number of complaints received against contractor's non-compliance with the requirements of the employment contracts and those of the Employment Ordinance (with a breakdown by the type of complaint); iv) the number of substantiated complaints; v) the number of cases in which contractors were penalised due to substantiation of their complaints and the penalties imposed.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1657)

Reply:

The Central Investigation Team (CIT) of the Food and Environmental Hygiene Department conducted 269, 267 and 312 inspections on the contractors' compliance with employment-related regulations in 2017, 2018 and 2019 respectively. Instead of conducting physical inspections of the workplaces, the CIT examines the employment-related documents, including Standard Employment Contracts, wage records, attendance records, etc. The contractors' staff concerned are interviewed to ascertain the contractors' compliance with the contractual requirements and/or the relevant labour legislation. Hence, the Department does not keep information on the number of workplaces inspected. Details of the complaints received by the CIT are provided as follows:

Year	Types of complaints					Number of complaints	Number of substantiated cases
	Under-p ayment	No signing of Standard Employment Contract	Exceeding maximum working hours	Failure to grant severance / long service payment	Others^		
2017	6	0	1	3	6	16	1
2018	8	0	0	1	7	16	2
2019	8*	0	1	2*	6*	14	0

^ Including late payment of wages, failure to make contributions to the Mandatory Provident Fund, etc.

* 3 of the complaint cases involved more than 1 type of complaint.

For substantiated cases, the Department will issue default notices and/or warning letters to the contractors concerned. Deductions from the relevant contract payments will also be made as appropriate. Contractors found to be in breach of certain contractual obligations will receive demerit points, which may affect their future bids for similar government contracts.

- End -