

CONTROLLING OFFICER'S REPLY

FHB(FE)268

(Question Serial No. 5187)

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:

Please provide the respective number of complaints received by the Department in each of the past 5 years about its non-skilled outsourced service contractors (i) underpaying wages; (ii) defaulting on wage payments; (iii) failing to sign the Standard Employment Contract; (iv) exceeding working hour limits; and (v) breaching the Employment Ordinance (Cap. 57) and the Employees' Compensation Ordinance (Cap. 282), the number of complaints found substantiated, the number of contractors penalised as a result (with a breakdown by form of punishment) and the number of contractors debarred from tendering due to conviction.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1663)

Reply:

In the past 5 years, the number of employment-related complaints received by the Food and Environmental Hygiene Department against outsourced service contractors is as follows:

Year	Types of complaints					Total no. of substantiated cases	No. of default notices issued	No. of warning letters issued
	Under-payment	Non-payment of wages	No signing of Standard Employment Contract	Exceeding maximum working hours	Non-compliance with Employment Ordinance (Cap. 57) and/or Employees' Compensation Ordinance (Cap. 282) ^			
2015	14	0	0	1	7	1	0	1
2016	5	0	1	4	2	3	0	3
2017	6	0	0	1	9	1	1	0
2018	8	0	0	0	8	2*	4	0
2019	8#	0	0	1	8#	0	0	0

^ Including late payment of wages, failure to grant severance/long service payment, etc.

* 1 of the cases involved 3 service contracts and each was issued with a default notice.

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

In the past 5 years, no outsourced service contractor was debarred from tendering for service contracts that rely heavily on the deployment of non-skilled workers due to previous conviction(s).

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