Meeting of the Ethnic Minorities Forum

8 June 2017 at 3:00 p.m.

30/F Conference Room, Southorn Centre, Wan Chai

**Present**

**Government representatives**

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| Assistant Director of Home Affairs (3) | Mr Howard Yam  (Chairperson) |
| Chief Executive Officer (3),  Home Affairs Department | Mr KY Cheng |
| Assistant Secretary for Constitutional and Mainland Affairs(5)A | Ms Cathy Li |

**Representatives of public bodies**

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| Senior Equal Opportunities Officer,  Equal Opportunities Commission | Mr Raymond Ho |

**Representatives of non-government organisations**

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| Caritas – Hong Kong | Mr Bill Lay |
| Christian Action | Mr Gary Tang |
| Federation of Muslim Association in Hong Kong | Mr Khan Muhammad Malik |
| Hong Kong Christian Service | Ms Katherine Shum |
| Hong Kong Community Network | Ms Cheung Ying Ying |
| Hong Kong Integrated Nepalese Society Limited | Mr Binay Shah |
| Hong Kong SKH Lady MacLehose Centre | Mr Chan Ching Wa |
| Human Welfare Services | Mr Mustafa Ghulam |
| India Association Hong Kong | Mr Mohan Chugani |
| Indian Businessmen’s Association | Mr Gul T Mirpuri |
| Jammu Kashmir Association [HKSAR] | Mr GH Sagar |
| Khalsa Diwan Hong Kong (Sikh Temple) | Mr Gurmel Singh |
| Muslim Youth Association | Mr Muhammad Din Malik |
| Nepali Social Service Hong Kong | Mr MB Thapa |
| New Home Association | Mr Chan Yee Fei |
| Oxfam Hong Kong | Ms Wong Shek Hung |
| The Hong Kong Council of Social Service | Ms Lynn Law |
| The Neighbourhood Advice-Action Council | Ms Crystal Cheng |
| United Muslim Association of Hong Kong | Mr SJ Raghbi |
| Yang Memorial Methodist Social Service | Mr Lam Chun Ming |
| Yuen Long Town Hall | Ms Candice Chan |

**Other attendees**

*For Agenda Item 1*

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| Manager, Workplace Consultation Promotion Division, Labour Department | Ms Li Wai Shan |
| Assistant Manager, Workplace Consultation Promotion Division, Labour Department | Mr Tong Kwok Wai |
| Branch Office Manager, Labour Department | Mr Wan Chi Kin, Jeffery |

*For Agenda Item 2*

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| Superintendent (Human Resource), Hong Kong Correctional Services Department | Mr Leung Ka Lun |
| Programme Officer, HOME Centre | Ms Kong Wai Man |
| Participant of Personal Advancement and Career Enhancement Programme | Mr Adeel Ahmad |

**Secretary**

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| Senior Executive Officer (RRU),  Home Affairs Department | Mr Alfred Shum |

1. **Introduction**
   1. The Chairperson welcomed attendees to the meeting.
2. **An introduction to the Employment Ordinance by Labour Department**
   1. At the invitation of the Chairperson, Ms Li Wai Shan, Mr Wan Chi Kin, Jeffery and Mr Tong Kwok Wai of the Labour Department (LD) briefed attendees on the Employment Ordinance, with a PowerPoint presentation.
   2. Issues raised by attendees and the discussions were summarised below:

**(a) Clarifications to the Employment Ordinance**

* + 1. In response to the attendees’ enquiries, Ms Li elaborated on following issues relating to the Employment Ordinance:
* For an employee under a continuous contract (i.e. employed continuously by the same employer for four weeks or more, with at least 18 hours worked in each week), paid sickness days can be accumulated at the rate of two days for each completed month of employment during the first 12 months of a continuous contract and four days each month thereafter, up to a maximum of 120 days.
* The Employment Ordinance is applicable to foreign domestic helpers if their contracts are entered into in Hong Kong.
* The father of a new-born child or a father-to-be is entitled to paternity leave, regardless whether he is married to the child’s mother. If he has been employed for not less than 40 weeks under a continuous contract immediately before the day of paternity leave and has provided the required document to the employer, he can enjoy paid paternity leave.

**(b) Support services for ethnic minorities**

* + 1. An attendee asked how ethnic minorities (EMs) were informed about the Employment Ordinance. Mr Tong replied that LD published a guidebook titled “Employment Ordinance at a Glance” and other information leaflets in seven EM languages (i.e. Hindi, Indonesian, Nepali, Sinhala, Tagalog, Thai and Urdu).
    2. The attendee also asked about the assistance available to EMs visiting Labour Relations Division (LRD) branch offices of LD and the utilisation rate of interpretation services in these offices. Mr Wan said that most of the EM users could communicate in English. In other cases, LRD staff would make arrangement with CHEER Centre or court interpreters to provide interpretation services to the users concerned. LRD had also translated most frequently-used forms into EM languages to facilitate better understanding by EMs.
    3. Some attendees suggested that LD should set up a dedicated division in which EM staff would be employed to provide support and coordinate employment services for EMs. Ms Li agreed to convey the message to the Employment Services Division for consideration.
    4. An attendee asked about LD’s public education programme for EMs. Ms Li replied that roving exhibitions were regularly held over the territories to enhance public awareness about the major provisions of the Employment Ordinance. Leaflets and booklets in seven EM languages were produced for free distribution to EMs.

**(c) Other comments**

* + 1. An attendee expressed concern that some employees received wages below what was specified in the employment contract or even the statutory minimum wage. Mr Wan said that the employees concerned might lodge a complaint to the LRD branch offices. They would take follow up action, including arrangement of conciliation meeting and referral for criminal investigation, as appropriate.
    2. An attendee commented that the Nepali translation of a publication was uncommon Nepali. Ms Li took note of his comment and agreed to look into the matter.
    3. An attendee suggested that the Construction Industry Council (CIC) and the Occupational Safety and Health Council (OSHC) should provide more courses in English. The Chairman asked the Secretariat to convey the suggestions to the relevant bodies.

*(Post-meeting notes: Letters have been sent to CIC and OSHC conveying the comment of the attendee. )*

1. **Personal Advancement and Career Enhancement (P.A.C.E.) Programme by Hong Kong Correctional Services Department (CSD) and HOME Centre**
   1. At the invitation of the Chairperson, Mr Leung Ka Lun of CSD and Ms Kong Wai Man of the HOME Centre briefed attendees on the P.A.C.E. Programme, with a PowerPoint presentation. Mr Adeel Ahmad also shared his experience of joining the P.A.C.E. Programme.
   2. Issues raised by attendees and the discussions were summarised below:
      1. An attendee liked the P.A.C.E. Programme and asked if similar programmes would be organised in future, possibly with other support service centres for ethnic minorities or other non-government organisations (NGOs). Mr Leung replied that CSD would be pleased to work on the programme with other NGOs.
      2. In response to an enquiry on its plan to recruit more EM staff, Mr Leung said that CSD highly valued the service of EM staff and would be happy to have more EMs joining his department. He said that as an equal opportunities employer, CSD would ensure a fair recruitment process for candidates of all ethnicities.
      3. An attendee said while he appreciated CSD’s effort to lower the Chinese proficiency requirement which should lower the hurdle for EMs, the success rate for EM applicants was still lower than that of their Chinese counterparts. Referring to the recruitment statistics in the past two years, Mr Leung pointed out that, statistically, there was no significant difference between the success rate for Chinese and EM applicants.
      4. An attendee suggested that other government bureaux and departments might also consider organising similar preparation programmes for EMs so as to encourage them to join the civil service.
2. **Any Other Business**
   1. The Chairperson informed the meeting that Lands Department had posted on its website a list of vacant school premises under its management for application by NGOs on short-term basis for community, institutional or non-profit making purposes. There were 37 sites located in the New Territories and on the Lantau Island. The Secretariat had sent an email to all attendees with the details.
   2. An attendee commented that the Race Relations Unit had been involving heavily in the provision of support services for EMs and would benefit from increased manpower resources.
   3. An attendee expressed interest in the review on the Chinese proficiency requirement for Government appointments.
   4. For the date of next meeting, attendees would be duly informed nearer the time.

**Home Affairs Department**

**September 2017**