

File Ref.:

CSBCR/PG/4-085-001/62

LEGISLATIVE COUNCIL BRIEF

2009-10 CIVIL SERVICE PAY ADJUSTMENT

INTRODUCTION

At the meeting of the Executive Council on 16 June 2009, the Council ADVISED and the Chief Executive ORDERED that the following pay offers should be made to the staff sides of the four central consultative councils -

- (a) a pay freeze for civil servants in the lower and middle salary bands (paragraphs 17-20); and
- (b) a pay cut of 5.38% for civil servants in the upper salary band and above subject to the proviso that no pay point in the upper salary band should be less than \$48,700 (i.e. \$300 above the upper limit of \$48,400 of the middle salary band) (paragraphs 21-23).

JUSTIFICATIONS

(A) Civil Service Pay Policy

2. The Government's policy is to offer remuneration sufficient to attract, retain and motivate staff of a suitable calibre to provide the public with an effective and efficient service; and such remuneration is to be regarded as fair by both civil servants and the public they serve. For the latter, the Government accepts that broad comparability with the private sector should be an important factor in setting civil service pay.

(B) Existing Civil Service Pay Adjustment Mechanism

3. Under the existing civil service pay adjustment mechanism, civil service pay is checked against the prevailing market situation on a regular basis through three different surveys, namely (i) a pay trend survey (PTS) conducted every year to ascertain the year-on-year pay

adjustment movements in the private sector; (ii) a starting salaries survey conducted every three years to compare civil service starting salaries with those of the private sector having similar academic qualifications and/or experiences requirements; and (iii) a pay level survey (PLS) conducted every six years to ascertain whether civil service pay is broadly comparable with private sector pay.

(C) The PTS Mechanism

4. The annual PTS is commissioned by a tripartite Pay Trend Survey Committee (PTSC), comprising ten staff sides representatives from the four central consultative councils, three management representatives from the Administration, and three members of two advisory bodies on civil service salaries and conditions of service (namely the Standing Commission on Civil Service Salaries and Conditions of Service and the Standing Committee on Disciplined Services Salaries and Conditions of Service) who are non-officials and non-civil servants. Under the supervision of the PTSC, the annual PTS is conducted by the Pay Survey and Research Unit (PSRU) of the Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service (JSSCS). The survey findings are collated and condensed into three gross PTIs, one each for the upper, middle and lower salary bands¹. The payroll cost of increments incurred for civil servants in each salary band (expressed as a percentage of total salary payment for that particular salary band) is then deducted from the relevant gross PTI to arrive at the net PTI².

5. Starting from 2007, with the agreement of the staff sides and the advice of the Chief Executive-in-Council (CE-in-Council), the annual PTS collects pay adjustment data from both larger (i.e. with 100 or more employees) and smaller (i.e. with 50-99 employees) companies, which are assigned a 75% and 25% weighting respectively. The data collected are

¹ The pay ranges of the three salary bands are -

- ✧ Upper: Above Master Pay Scale (MPS) 33 to General Disciplined Services (Officer) Pay Scale (GDS(O)) 38 or equivalent (which is currently \$48,401 to \$97,545);
- ✧ Middle: From MPS 10 to 33 or equivalent (which is currently \$15,785 to \$48,400); and
- ✧ Lower: Below MPS 10 or equivalent (which is currently below \$15,785).

² The deduction of payroll cost of increments from the gross PTIs to arrive at the net PTIs was recommended by the Committee of Inquiry in 1989 in view of its other recommendation to include private sector merit pay and increments in the annual PTS. The Committee considered that for the sake of fairness, if the movement of all take-home pay in the private sector was taken into account in the PTS, the increment payment made to civil servants who had not yet reached the maximum point of their rank should also be taken into account. This recommendation was accepted by the then Governor-in-Council and has been adopted since 1989.

collated under the three salary bands according to the basic pay levels of the surveyed employees. For each salary band, the gross PTI is compiled through a two-stage process: firstly the pay adjustment data for larger companies and those for smaller companies are consolidated separately on a simple weighted average basis, and secondly these two figures are combined to produce the gross PTI by applying a gross-up factor of 0.75 to the larger companies figure and another gross-up factor of 0.25 to the smaller companies figure. A net PTI is then compiled for each salary band by deducting the actual payroll cost of increments incurred for civil servants in that salary band from the relevant gross PTI.

6. Upon the completion of a PTS, the CE-in-Council's advice is sought on the pay offers to be made to the staff sides of the four central consultative councils, having regard to six factors, namely (i) the net PTIs, (ii) the state of the economy, (iii) changes in the cost of living, (iv) the Government's fiscal position, (v) the pay claims of the staff sides, and (vi) the state of the civil service morale. If the pay offers advised by the CE-in-Council are different from the staff sides' pay claims, the staff sides are consulted again and then the CE-in-Council's further advice is sought.

(D) The 2009 PTS

7. This year's PTS, covering the 12-month period from 2 April 2008 to 1 April 2009, collected the pay adjustment data (including basic pay and variable pay such as bonuses) of 185 321 employees in 121 companies (consisting of 182 982 employees in 88 larger companies and a total of 2 339 employees in 33 smaller companies). The results of the 2009 PTS (i.e. the gross PTIs) and their respective components are set out in the table below.

| Salary Band | Basic Pay Indicator [A] | Variable Pay indicator [B] | Gross PTI [A] + [B] |
|--------------------|-----------------------------------|--------------------------------------|-------------------------------|
| Upper | + 2.25% | - 7.04% | - 4.79% |
| Middle | + 2.82% | - 4.16% | - 1.34% |
| Lower | + 1.74% | - 1.91% | - 0.17% |

8. After release of the above results at the PTSC meeting on 18 May 2009, the PTSC met on 25 May 2009 and 8 June 2009 to consider them in detail. At the PTSC meeting on 8 June 2009, 12 (including six out of ten representatives of the staff sides of the central consultative councils) of the 16 members accepted and validated the survey findings. The remaining four members held different views; they were the two representatives of the Police Force Council (PFC) staff side and the two representatives of the Hong Kong Chinese Civil Servants' Association (HKCCSA), one belonging to the Senior Civil Service Council (SCSC) and the other to the Model Scale 1 Staff Consultative Council (MOD 1 Council).

9. The resulting net PTIs, computed by deducting from the gross PTIs the relevant payroll cost of increments incurred in 2008-09 for civil servants in each salary band, are as follows -

| Salary Band | Gross PTI [C] | Payroll Cost of Increments [D] | Net PTI [C] – [D] |
|--------------------|--------------------------|---|------------------------------|
| Upper | - 4.79% | 0.59% | - 5.38% |
| Middle | - 1.34% | 0.64% | - 1.98% |
| Lower | - 0.17% | 0.79% | - 0.96% |

(E) State of the Economy

10. The economy held firm in the first half of 2008, but took an abrupt turn after September 2008 with the onset of the global financial tsunami. Following a contraction of 2.6% in Q4 of 2008, our GDP registered a sharp year-on-year decline of 7.8% in real terms in Q1 of 2009, the steepest fall since Q3 of 1998 when Hong Kong was severely battered by the Asian Financial Crisis. For 2008 as a whole, the economy grew by 2.4%, lower than the average annual growth rate of 4.7% over the past ten years.

11. The economy is forecast to contract by 5.5% to 6.5% in 2009. The human swine influenza has emerged as a new source of uncertainty. Yet the expected pick-up in the Mainland economy, the recent rebound in global stock markets, the relative improvement in economic sentiment both in the US and Europe, have provided some glimpse of light at the end of a long tunnel, though a strong recovery is not yet in sight.

12. The labour market also fared strongly until the onset of the global financial tsunami. The seasonally adjusted unemployment rate was at a ten-year low of 3.2% in June to August 2008, but surged to 4.1% at the end of 2008. The labour market has continued to worsen. In February-April of 2009, the seasonally adjusted unemployment rate rose to 5.3% and the underemployment rate also moved up to 2.2%. The unemployment rate is expected to face further upward pressure in the near term. Wages and incomes are coming down. Average earnings of workers in the higher skilled category, viz. professional and managerial employees, fell by 5.4% in Q1 of 2009 over the same period last year.

(F) Changes in the Cost of Living

13. Inflation peaked in July 2008, and has been receding since then. The headline (i.e. including one-off relief measures introduced by the Government) consumer price inflation, measured by the Composite Consumer Price Index (CCPI), was 4.3% in 2008. It fell to 1.4% in the

first four months of 2009. The latest forecast for 2009 is 1%.

(G) The Government's Fiscal Position

14. The consolidated fiscal surplus for 2008-09 was \$1.5 billion, and total fiscal reserves stood at \$494.4 billion at end-March 2009. The 2009-10 budget forecast a consolidated deficit of \$39.9 billion, which is equivalent to 2.4% of the then projected GDP. Additional relief measures costing \$16.8 billion was announced in May 2009. Overall, the Government's fiscal position remains robust.

(H) Staff Sides' Pay Claims

15. The pay claims from the staff sides of the four central consultative councils (at Annexes A to D) are summarised below -

| Staff Side | Upper Band | Middle Band | Lower Band |
|--|---|--------------------|-------------------|
| (I) SCSC | | | |
| (a) HKCCSA ³ | Pay freeze | Pay freeze | Pay freeze |
| (b) Association of Expatriate Civil Servants of Hong Kong (AECS) | Pay freeze | Pay freeze | Pay freeze |
| (c) HK Senior Government Officers Association (HKSGOA) | Pay Freeze | Pay freeze | Pay freeze |
| (II) PFC⁴ | - 1.59% | + 0.83% | + 0.75% |
| (III) Disciplined Services Consultative Council (DSCC) | Follow established mechanism ⁵ | | |
| (IV) MOD 1 Council⁶ | no claim received | no claim received | Pay freeze |

³ The pay claims from HKCCSA (at Annex A) represent the views of its members on the SCSC staff side and the MOD 1 Council staff side. Please also refer to footnote 6 below.

⁴ The PFC staff side has asked for strict application of the gross PTIs computed by excluding the data of the two companies code named L057 and L080 (see Annex B), which in its view, should not have been included in the 2009 PTS.

⁵ The DSCC staff side supports following the established mechanism, i.e. in addition to considering the net PTIs, the Government should also consider the state of the economy, fiscal position, changes in cost of living, the staff sides' pay claims and morale of the civil service when deciding on the civil service pay adjustment for 2009-10.

⁶ The MOD 1 Council staff side is made up of eight constituent associations. All have endorsed the pay claim at Annex D, except for HKCCSA. The latter (with representatives on both the SCSC and MOD 1 Council) has provided its own pay claims which are set out in Annex A. In brief, it has asked for a pay freeze for all civil servants.

(I) State of Staff Morale

16. Morale in the civil service at large has remained stable, notwithstanding the increase in volume and pressure of work in many areas engendered by the worsening economic situation and the human swine influenza pandemic. In view of the deteriorating economic and employment situation, there is little expectation among civil servants for a pay increase in 2009-10. The morale of civil servants in the disciplined services (totally some 51 600), including those in the Police (around 27 600), has been adversely affected by the deferred implementation of the recommendations in the Grade Structure Review Report of the Disciplined Services.

(J) Recommended pay offers for 2009-10

17. We **recommend** that the following pay offers should be put to the staff sides of the four central consultative councils for the reasons explained in paragraphs 18 to 20 below –

| Salary Band | No. of Civil Servants⁷ <i>(as at 31.3.2009)</i> | Net PTI | Recommended Pay Offer |
|--------------------|--|----------------|------------------------------|
| Directorate | 1 228 | n.a. | - 5.38% |
| Upper | 17 506 | - 5.38% | - 5.38% |
| Middle | 113 839 | - 1.98% | pay freeze |
| Lower | 22 490 | - 0.96% | pay freeze |
| Total | 155 063 | | |

(i) Lower and middle salary band civil servants

18. The net PTIs for the lower and middle salary bands show a decrease of just below 1% and 2% respectively. In view of the relatively small magnitude, the mildly inflationary environment, stability and morale of the civil service as well as the staff sides' pay claims, we **recommend** that the pay offer for civil servants in these two salary bands for 2009-10 should be no change.

19. In the past, the CE-in-Council had decided to adjust civil service pay differently from the net PTIs of the relevant annual PTS. For example, in 1999-2000, civil service pay across-the-board was frozen although slightly negative net PTIs were recorded for the upper and lower salary bands while a small positive net PTI was recorded for the middle

⁷ Including around 20 000 civil servants seconded to/working in trading funds, subvented and other public bodies.

salary band. Again in 2000-01, civil service pay across-the-board was frozen despite small negative net PTIs were recorded for all three salary bands and despite a projected deflationary environment⁸. In 1990-91 and 1991-92, civil service pay increases were suppressed below the net PTIs on account of the then prevailing high inflation. In 1992-93, the pay increase for civil servants in the lower and middle salary bands was higher than the net PTIs on account of high inflation⁹.

20. We have considered, and decided against, the option of subjecting the recommended pay freeze offer for civil servants in the lower and middle salary bands to a proviso that the 'non-actioned' downward adjustment (i.e. 0.96% for the lower salary band and 1.98% for the middle salary band) would be 'carried forward' and offset against future pay increases. This is because each year's pay adjustment is a separate exercise and decided upon having regard to all the relevant considerations. Furthermore, the institution of a 'carry forward' arrangement could imply a mechanical linkage between the annual civil service pay adjustment and the annual net PTIs. This is contrary to our existing approach in paragraph 6 above.

8 The forecast CCPI for 2000 was -1%.

9 The following table sets out the net PTIs and the actual pay adjustments in 1990-91, 1991-92, 1992-93, 1999-00 and 2000-01:

| Year | Salary Bands | Net PTIs | Actual Adjustment | Remarks |
|-------------|---------------------|-----------------|--------------------------|---|
| 1990-91 | Upper | 17.00% | 15.00% | The pay adjustment rates were lower than the <u>net</u> PTIs. |
| | Middle | 16.46% | 15.00% | |
| | Lower | 15.11% | 15.00% | |
| 1991-92 | Upper | 11.88% | 10.43% | The pay adjustments were pegged to the change in Consumer Price Index (A) (CPI(A)) of the survey period which was lower than the <u>net</u> PTIs. |
| | Middle | 12.49% | 10.43% | |
| | Lower | 12.09% | 10.43% | |
| 1992-93 | Upper | 11.17% | 11.17% | The pay adjustments for the middle and lower salary bands were pegged to the change in CPI(A) which was higher than the <u>net</u> PTIs. |
| | Middle | 10.82% | 11.60% | |
| | Lower | 10.68% | 11.60% | |
| 1999-00 | Upper | -0.13% | n.a. | There was no pay adjustment for the civil service. |
| | Middle | 0.84% | n.a. | |
| | Lower | -0.54% | n.a. | |
| 2000-01 | Upper | -0.41% | n.a. | There was no pay adjustment for the civil service. |
| | Middle | -1.97% | n.a. | |
| | Lower | -1.78% | n.a. | |

(ii) Upper salary band and directorate civil servants

21. The year-on-year movement of pay in the private sector for employees in the upper salary band (i.e. the gross PTI) was a rather substantial reduction of 4.79%. Having regard to this and to the other factors set out in paragraph 6 above, we **recommend** that the pay offer for civil servants in the upper salary band for 2009-10 should be a reduction of 5.38% (i.e. equal to its net PTI), subject to the proviso that no pay point in the upper salary band would be lower than \$48,700 (i.e. \$300 above the upper limit of the middle salary band).

22. The recommended proviso in paragraph 21 is necessary because the recommended pay offer of no change for civil servants in the middle salary band (if implemented) would mean those at the top pay point of this band would receive a monthly pay of \$48,400 in the Master Pay Scale, while the recommended pay offer of a reduction of 5.38% for civil servants at the upper band (if implemented) would mean those at the bottom pay point of this band would receive a monthly pay of \$47,760 in the Master Pay Scale. In short, a civil servant at a higher pay point would receive a lower monthly pay than one at the immediately lower pay point. The same anomaly would also occur in the Police Pay Scale and the General Disciplined Services (Officer) Pay Scale. Such a pay scale design would be illogical and most undesirable from a staff management point of view. The recommended offer of maintaining a pay 'lead' of \$300 above the upper limit of the middle salary band would overcome this problem¹⁰. It would also enable the continued operation of the current demarcation of the three salary bands for the conduct of future annual PTSs.

23. The coverage of the annual PTS does not include directorate civil servants. Following the practice adopted since 1990, we **recommend** the same pay offer to these civil servants as that for the upper salary band staff for 2009-10, namely a pay reduction of 5.38%.

(K) Vehicle for Implementing Civil Service Pay Cut

¹⁰ The following table sets out the exact reduction rate for the lowest pay point within the upper salary band of the relevant pay scales –

| | Lowest pay point within the upper salary band | Existing dollar value | Proposed dollar value | Reduction rate |
|--|---|-----------------------|-----------------------|----------------|
| Master Pay Scale | 34 (33A) | \$50,475 | \$48,700 | 3.52% |
| General Disciplined Services (Officer) Pay Scale | 20 | \$50,170 | \$48,700 | 2.93% |
| Police Pay Scale | 36 | \$50,170 | \$48,700 | 2.93% |
| ICAC Pay Scale | 28 | \$51,160 | \$48,700 | 4.81% |

24. For certainty and to forestall possible legal challenges, legislation is required to effect civil service pay reduction. In the event that the CE-in-Council decides to reduce civil service pay in the upper salary band and above having regard to the responses of the staff sides to the pay offers, we will introduce a bill to effect the pay reduction into the Legislative Council (LegCo) as soon as practicable. Same as the two recent occasions when legislation was enacted to effect a pay cut for the civil service, any pay reduction for 2009-10 will have to take effect from a forward date in view of the legal advice that legislation empowering a pay cut for the civil service can only take effect prospectively; and that it would not be lawful to backdate a pay reduction.

OTHER RELATED ISSUES

(A) Judges and Judicial Officers (JJOs)

25. JJOs are subject to a different and separate mechanism for pay adjustment. The Standing Committee on Judicial Salaries and Conditions of Service (Judicial Committee) will meet and discuss as to how the pay of JJOs should be adjusted, having regard to a basket of factors, including the pay adjustment for the civil service. Upon receipt of the recommendations of the Judicial Committee, a submission to the CE-in-Council will be made.

(B) Political Appointees

26. The pay policy and pay adjustment mechanism for politically appointed officials (consisting of Principal Officials, Director of CE's Office, Deputy Directors of Bureau, and Political Assistants) are distinct and separate from those for the civil service. The pay offers recommendation in this submission does not apply to them.

(C) Non-Civil Service Contract Staff

27. Non-civil service contract staff (NCSC) are recruited by individual bureaux and departments for work that is seasonal or time-limited or part-time in nature, or work where the mode of delivery is under review or likely to be changed (for example, through outsourcing), etc. They are not civil servants. Their employment package is separate and different from that for the civil service. For example, the recruiting bureaux and departments are authorized to determine, and adjust as necessary, the pay of their NCSC staff, having regard to a host of factors, including condition of the employment market, recruitment results and

staff retention needs, cost of living, civil service pay adjustment, etc¹¹.

28. As the pay of NCSC staff is managed differently from that of the civil service, the pay offer recommendation in this submission and the final pay adjustment decision to be made by the CE-in-Council for the civil service will not be applied automatically to this category of staff.

(D) Subvented Sector Staff

29. Generally speaking, remuneration of the staff of subvented bodies is a separate matter from the subventions granted by the Government to these bodies. With the exception of the staff in the aided school sector who are paid according to the civil service pay scales, the Government is generally not involved in the determination of the pay or pay adjustment of staff working in subvented bodies. These are matters between the concerned bodies as employers and their employees. The Government therefore will not directly impose any pay adjustment applicable to the civil service on the employees or employers in the subvented sector. That said, it has been our established practice that following a civil service pay adjustment, the Government will adjust generally the financial provisions for those subventions which are price-adjusted on the basis of formulae including a factor of civil service pay adjustment. These provisions cover the majority of bodies receiving recurrent subventions from the Government, including the Hospital Authority, social welfare non-governmental organisations, and institutions funded by the University Grants Committee.

30. Subject to a final decision by the CE-in-Council and, if the decision is to reduce civil service pay in the upper salary band and above, then subject to the passage of the civil service pay reduction bill, we will effect the adjustment to the relevant provisions in the Government's budget starting from the same date the civil service pay cut would be implemented. Normally the relevant government bureaux/departments will then reduce the subventions of affected subvented bodies administratively. For most subvented bodies, the adjusted amounts of subventions will be calculated in accordance with the weighted average of the pay adjustment decided for the civil service (as was done in previous years). If the civil service pay for 2009-10 is adjusted according to the pay offers, the weighted average of civil service pay adjustment rates will be - 1.56%. It would be up to individual subvented bodies, as employers, to decide whether to reduce the salaries of their employees and, if so, the rate of pay cut.

11 The only restriction is that the pay of a NCSC staff cannot be more than the notional mid-point salary of a civil servant doing similar work.

IMPLICATIONS OF THE RECOMMENDATION

31. The pay offers are in conformity with the Basic Law, including the provisions concerning human rights. They have no sustainability, productivity and environmental implications.

32. The estimated full-year savings for the civil service and the subvented sector arising from the recommended pay offers are as follows-

| | \$ million |
|------------------------------|---------------------|
| (a) Civil Service | 867 ¹² |
| (b) ICAC staff ¹³ | 17 |
| (c) Subvented Organisations | 1,228 ¹⁴ |
| (d) Auxiliaries | 3 |
| Total | 2,115 |

33. The 2009 PTS findings, on which the recommended pay offers have made reference to, reflect the extent of pay change in 2008-09 over a year ago for employees in the private sector. Currently, the civil service accounts for about 4% of the total workforce and civil service emoluments account for about 7% of the overall employment remuneration in the economy. The civil service and employees in subvented bodies together account for around 15% of the overall employment remuneration in the economy. From the economic perspective, the proposed pay cut, which would amount to some \$2.1 billion on a full-year basis, is likely to lead to some cut-back in consumption spending. The resultant contractionary effect on the economy is crudely estimated at around 0.1 of a percentage point of GDP.

12 The figure includes about \$92 million savings from pay adjustment for around 2200 affected civil servants seconded to/working in trading funds, subvented and other public bodies.

13 ICAC staff are not civil servants. However, it has been the Government's policy to extend the civil service pay adjustment to the ICAC.

14 This figure has excluded the financial implications arising from pay adjustment for civil servants seconded to/working in subvented bodies, which have been incorporated under item (a) above.

PUBLICITY

34. The Secretary for the Civil Service has made the pay offers to the staff sides of the four central consultative councils earlier today (16 June 2009). A press release will be issued later today and a spokesperson will be available to answer media enquiries.

SUBJECT OFFICER

35. Enquiries on this brief should be addressed to Mr. Chris Sun, Principal Assistant Secretary for the Civil Service (Tel : 2810 3112).

Civil Service Bureau
16 June 2009



香港政府 華員會
HONG KONG CHINESE CIVIL SERVANTS' ASSOCIATION
中國香港九龍京士柏衛理道8號 8 Wylie Road, King's Park, Kowloon, Hong Kong, China
電話 Tel: (852) 23001068 圖文傳真 Fax: (852) 2771 1139 網址 Website: <http://www.hkccsa.org.hk>



本會檔號：(149) in 2/7/CCSA(XVIII)

傳真及呈遞

致香港特別行政區政府
公務員事務局局長
俞宗怡女士

尊敬的俞局長：

華員會有關 2009/10 年度公務員薪酬調整的意見

就 2009/10 年度公務員薪酬調整的問題，本會有如下意見，望貴局準確、全面反映予最高當局，亦期望貴局及最高當局能對公務員薪酬調整問題的複雜性作通盤、全面的考慮。

- (1) 正如所知，遺憾的是，薪酬趨勢調查委員會因某些數據未能符合既定準則，但不允修訂，故本會未能確認上一年度(2008/09 年度)的薪酬趨勢調查報告。其實，對每一年的調查報告，確認與否並非關鍵問題。憑什麼去確認或不確認，却關係重大。本會認為，不論何種情況，如何核實調查報告、是否確認以及如何恰當處理重大爭議，理應遵循公正合理、客觀從事、能貫徹始終的原則。衡量是非的準則應為調查是否符合既定的調查方法進行，以及所反映的薪酬趨勢的穩定性、一致性及可比較性有否受不良影響。


以上述原則及準則來客觀審視，可知：L080 公司在 2007/08 年度採用了薪酬調整新機制，因不能分拆基本薪酬高達超過 20% 增幅中的內外對比關係，被薪酬趨勢調查研究組監督剔除於調查範圍內；2008/09 年度該公司沿用同一機制，却因監督聲稱該公司因凍薪，可“分拆”內外對比關係而被納入調查範圍，最終不被剔除。實際上，監督是在把 2008/09 年度已“分拆”的數據與 2007/08 年度未作分拆的數據作不同屬性及不對等比較，仍不符合既定的調查準則，以致錯誤地把一間比重相當大的公司納入 2008/09 年度調查範圍內。其結果不但扭曲了 2008/09 年度的薪酬趨勢調查結果，還因此舉未能符合既定機制的準則而嚴重影響了所反映的薪酬趨勢的穩定性、一致性及可比較性，以至於賠上了調查的公信力。遺憾的是，薪酬趨勢調查研究組監督對有關問題的爭議性及牽連影響掉以輕心；急於確認調查報告的薪酬趨勢調查委員會主席、替任主席對出現的嚴重爭議作了不當處理，從而增加了本年度(2009/10 年度)公務員薪酬調整問題的複雜性，製造了不容忽視的後遺症。

本會認為，在已發現有未符合既定準則的問題而未予修訂及確認調查報告、存在嚴重爭議的情況下，薪酬趨勢調查委員會公佈的指標，不應作為官職雙方在考慮本年度(2009/10 年度)公務員薪酬調整時的參照因素。如需參照，則應以剔除該公司後的純指標(Net PTD)，即高層-2.18、中層+0.19 及低層-0.04 為準。

- (2) 由於全球金融海嘯的衝擊，本港上一年度(2008/09 年度)的經濟狀況，已於下半年轉差。這已部份反映在這年度的薪酬趨勢調查之中：98%公司的僱員基本薪金或增加或不變，致基本薪金指標有+2.18 的增幅，但額外酬金方面雖有 51% 公司增加或不變，因有 49% 公司減少，而且幅度較大，致額外酬金指標出現 -3.04% 的減幅(註：有關指標俱於 L080 公司未予剔除的情況下計算)。鑑於全球金融海嘯的持續衝擊，如今，其影響已擴展到金融業以外的實體經濟，因而本港本年度全年面對的嚴峻經濟狀況，已有過之無不及。對此，明年進行的薪酬趨勢調查必將有所反映。因而，今明兩年，公務人員與市民共渡時艱、衷誠合作、共克危機仍十分必要。
- (3) 本會十分擔心，因上一年度(2008/09 年度) 薪酬趨勢調查報告未獲一致確認，參照哪一新薪酬趨勢指標亟具爭議性，若因須與市民共渡時艱而減薪，須再行立法，恐立法過程未必順利，加上有人已揚言將不惜尋求司法覆核，從而有可能為本港帶來 2002 年立法減薪導致公務員、政府和社會“三輸”重演的局面。
- (4) 本會顧慮到，本港在面對甲型 H1N1 流感(人類豬流感)的襲擊下，確診個案節節上升(現已多達三十多宗)，社區爆發的風險正在增加，因而全體公務人員提振士氣，與政府同心同德、群策群力、加強防範十分關鍵。

有鑑及此，本會作為高級公務員評議會職方及第一標準薪級公務員評議會職方負責成員之一，考慮到本年度(2009/10 年度)公務員薪酬調整問題因各種原因已變得十分複雜的情況，為盡量減少負面影響及後遺症，為大局及長遠着想，本會認為，宜採取較穩妥的做法，即凍結全體公務員本年度的薪酬調整。本會期待並將尊重特區政府在作出通盤、全面的考慮後，對本會意見作出合理的回應。

本會將一如既往，支持並與特區政府作共同努力，協助香港克服困難，早日衝出金融海嘯，復蘇經濟！

會長  謹啓

2009 年 6 月 9 日

(English version only)

(只附英文版)

**Hong Kong Senior Government
Officers Association**
G13, Central Government Offices
East Wing, Hong Kong

**Association of Expatriate Civil
Servants of Hong Kong**
G12, Central Government Offices
East Wing, Hong Kong

Miss Denise YUE
Secretary for the Civil Service

Room 1024B, 10/F, West Wing,
Central Government Office,
Hong Kong

Dear Miss YUE,

9 June 2009

2009-2010 Civil Service Pay Adjustment

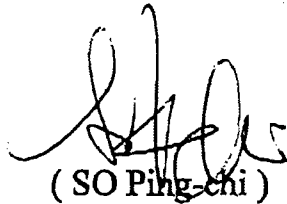
We represent two of the three constituent staff associations of the Senior Civil Service Council and are of the unanimous view that the following matters are relevant in coming to our pay claim for the 2009/2010 financial year:

- (1) Whilst we have endorsed the findings of the Pay Trend Survey, it is clear that there were concerns about the inclusion of some companies in the survey field, which would have a considerable impact on the survey findings.
- (2) It is important to follow the established mechanism to determine the civil service pay adjustment. In this regard, the net pay trend indicators (PTI) are important but not the sole deciding factor. There are other factors which have always been taken into consideration by both the Staff Side and the Administration in determining the civil service pay adjustment. There had been departures of the civil service pay adjustments from the PTIs in the past for various reasons.

- (3) We acknowledge the policy to share the ups and downs of the economy. However, the civil service has been drastically reformed and subjected to stringent budgetary control in expenditure in recent years. At the same time, the services provided by civil servants have been continuously expanded and improved. The decision on pay adjustment must be made against the above background.
- (4) As senior government officers, we are willing to share the burden of Hong Kong people. But, it should be done having regard to the overall pay situation. In recent years, the pay levels of civil servants in the Upper Band and Directorate Grades have proved to be lower than those working with equivalent responsibilities in private sectors:
 - (i) There was a shortfall of around 3% for the Upper Band (5% for Job Level 5 and 1% for Job Level 4) in the 2006 Pay Level Survey.
 - (ii) The pay increase of around 5% for Directorate Grade Officers and the two civilian grades recommended in the 2008 Grade Structure Review has been deferred.
- (5) In the recent Pay Trend Survey, most firms had an increase in the basic pay while many firms, especially those in the financial sector, had a dramatic pay cut in the additional pay. Such a phenomenon is abnormal and is believed to be caused by the 2008 financial turmoil. In maintaining a stable civil service, the Pay Trend Survey results should therefore be adopted in a pragmatic and comprehensive manner for this pay adjustment exercise.
- (6) We are mindful that any pay cut would have detrimental consequences to the local economy, namely, immediate and severe impact on consumer spending, economic recovery hindrance and adverse undermining of civil service morale. We note, in particular, that the Chief Executive and Financial Secretary's policy for countering the current economic recession has been to inject additional funds into the economy. Cutting civil service pay would contradict this policy.

In view of the above factors, we have determined that a pay freeze would best fit the situation. This would encourage civil servants to continue to give their whole-hearted support to Government in combating all the difficult situations resulted from the financial turmoil.

Yours sincerely,



(SO Ping-chi)
for Hong Kong Senior Government
Officers Association



(Steve BARCLAY)
for Association of Expatriate
Civil Servants of Hong Kong

警察評議會職方協會

香港軍器廠街一號警察總部

警政大樓三十九樓

電話 Telephone: 2860 2645

傳真 Fax: 2200 4355

POLICE FORCE COUNCIL
STAFF ASSOCIATIONS

39/F, ARSENAL HOUSE

POLICE HEADQUARTERS

1 ARSENAL STREET HONG KONG

附件 B

協會檔號 OUR REF: (10) in SS/C 1/12 Pt.13

來件編號 YOUR REF:

11th June 2009

Miss C.Y. Yue Denise, GBS JP
Secretary for the Civil Service,
10/F, West Wing, Central Government Offices,
11 Ice House Street, Central
Hong Kong.

Dear Miss Yue,

2009 Civil Service Pay Adjustment
Police Pay Claim

We write in response to the letter from Mr. Brian Lo (CSBCR/PG 4-085-001/62) dated 8th June 2009, declining our request for an extension of the pay claim deadline until 22nd June. We believe you could be much more understanding in your handling of the Staff Side. You should appreciate we needed time to meet amongst our Executive Committees in this serious task to prepare and submit a Pay Claim, particularly following the split decision on the tentative 2009 Pay Trend Survey results at the meeting of the PTSC on 8th June 2009.

We find it unacceptable that on such a key issue of Police Pay your approach is to rush the process without appreciating the concerns that any action on the 2009 Pay Trend Survey will now be seen as unfair and unreasonable without sufficient commitment by SCS to complete the Grade Structure Review first, with a fair and reasonable package that must be retrospective to **27th November 2008**. The fact that the Secretary for the Civil Service has now seen fit to refuse to discuss the GSR with us or honour her pledge to seek a decision by CE-in-Council by mid-2009 is unacceptable and resonates very badly amongst the dedicated 27,000 men and women of the Hong Kong Police.

Our 2009 Police Pay Claim is carefully considered taking into account the unresolved issues in the tentative results to the 2009 Pay Trend Survey, the low staff morale relating to the current impasse on the Grade Structure Review, and other considerations on the state of the economy, changes in cost of living and Governments fiscal position.

In 2009 we see there is generally a positive change in the cost of living and associated change in the CPI index and can draw reference to the recent paper – Legislative Council Brief on Pension Increase 2009 [Ref. CSBCR/AP/4-075-005/5 Pt.12], in which the size of civil service pensions is to be increased by 2.5% in line

HONG KONG
SUPERINTENDENTS'
ASSOCIATION
警司協會

HONG KONG
POLICE INSPECTORS'
ASSOCIATION
香港警務督察協會

OVERSEAS INSPECTORS'
ASSOCIATION
海外督察協會

JUNIOR POLICE OFFICERS'
ASSOCIATION
警察員佐級協會

with the year on year improvement. In terms of the economy as a whole we can rely upon the statements from the Secretary for Financial Services and the Treasury, Mr. CHAN Ka-keung, made on 23rd May, when he declared Hong Kong's "banking system is stable, and we did not have a credit crunch. Hong Kong's financial structure is much more stable, relatively". The Government's fiscal position we would argue has been and continues to be on a solid footing and this is clearly the case when there is continued spending in all sectors and with the bigger picture in mind on ten infrastructure projects. We would argue that responsible Government needs to invest in people as well as infrastructure and assure the key reasons for Hong Kong success are not undermined by short sighted thinking. Hong Kong interests, stability and community confidence needs an efficient and well-motivated Hong Kong Police.

Following the 75th Meeting of the PTSC on 8th June, you will be well aware that the PFC SS did **NOT** validate the tentative results of the 2009 PTS. Two other members supported our position and two members who did validate actually expressed concerns before doing so but, contrary to the terms of reference of the PTSC, actually took into account unrelated external factors such as the economic situation. In fact, the validation of the 2009 PTS survey results in spite of the fact that two companies were not endorsed for the survey field and one company did not meet the agreed calculation criteria amounts to an abuse of process. We also note with concern media reports that the Government was "lobbying behind the scenes", confirming our worst fears about this abuse of process. We will be addressing the Chief Executive on this and other issues in due course, with a view to seeking a Committee of Inquiry in respect of the conduct of the 2008 and 2009 PTS. The issues on the 2009 PTS are summarised in **Annex 'A'**.

In light of the above, it would be improper for the PFC SS to submit a pay claim based upon the tainted 2009 PTS results. In 2009, the police representatives on the PTSC have approached their task in a most serious and responsible manner. There are **119** surveyed companies with both positive and negative results that can be reliably found to fit the methodology of the PTS in accordance with the improved pay mechanism endorsed by the CE-in-Council. The 2009 PTS needs to exclude two companies L080 and L057 and we will base our pay claim upon the Pay Trend Indicators of the 119 companies endorsed in the 2009 PTS field and as provided to us by the PSRU in their letter of 29th May, namely an increase of +0.75% for the lower band, +0.83% for the middle band and -1.59% for the upper band.

The PFC SS seeks application of Gross Pay Trend Indicators without the practice of the Administration for deduction of increment cost, given that 75% of the Hong Kong Police Force is not receiving any annual increment, and subject to the following considerations:-

- (a) The Administration should implement the recommendations of the GSR in full, save those identified as problematic in the revised PFC SS GSR Paper 2 / PPS submitted to the Secretary for Civil Service on 26th February 2009;

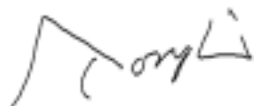
- (b) The proposals in PFC SS GSR Paper 2 / PPS should be implemented in full **prior to** application of the PTS results (119 endorsed companies);
- (c) The recommendations in (a) and (b) above should be implemented as soon as possible and back-dated to the date of the GSR report, 27th November 2008, in accordance with the established practice; and
- (d) Low Morale is a serious issue in the police force and most officers are despondent with the Administration's procrastination over implementation of the GSR recommendations. The bond of trust between police officers and the Administration is now broken and PFC SS representatives are facing increasing calls for more radical and high profile action in respect of pay.

We would view any pay freeze as a serious departure from the improved mechanism on pay endorsed by the CE-in-Council. We provide these views understanding the seriousness of the situation at this time and would ask that these are incorporated **in full** in any submissions made by the Secretary for the Civil Service to the CE-in-Council and any paper to the LegCo Panel on Public Service. The PFC SS is ready to approach the problems arising from GSR and the 2009 PTS in a serious, rational and responsible manner but we cannot be expected to calm officers indefinitely. In the coming weeks we urge the Administration to start acting responsibly in terms of both the GSR and 2009 PTS.

Yours sincerely,



SHAM Wai-kin
Chairman
SPA



LIU Kit-ming
Chairman
HKPIA



David WILLIAMS
Chairman
OIA



CHUNG Kam-wa
Chairman
JPOA

c.c.
Office of the Chief Executive
Chief Secretary for the Administration.
Secretary for the Civil Service (Attn: Chris Sun)
Commissioner of Police
Chairman SCDS
Chairman SCDS Police Sub-Committee
Chairman LegCo panel on Public Service
SF(1) in SS/C 1/12, SF(8) in SS/C 1/12

2009 Pay Trend Survey

At the meeting of the PTSC on **8th June 2009** there was a split decision on the tentative results of the 2009 Pay Trend Survey with the Police Staff Side representatives along with two other PTSC members, representing four out of ten staff members from Staff Councils with the support of over 100,000 members and therefore a majority of the 160,000 civil servants, being unable to support the inclusion of any company that does not properly meet the existing criteria under Appendix B paragraph 11 a (iii). It is also noted that two other PTSC staff representatives had raised their reservation and ambiguities with the inclusion of one company in the survey but then acted contrary to their professional duty as members of the PTSC and validated the results. Controller PSRU and Chairperson Ms Virginia CHOI have adopted selective transparency on the information and the PTSC meetings have suffered from an abuse of process and failure in providing what is needed for a proper and informed decision by members. The refusal to allow a proper examination of the documents on both the two companies, where there were different views and a further 20 companies that have been excluded has brought into question the credibility of the PSRU, PTSC and associated processes.

The **tentative** 2009 PTS result were announced in the 73rd PTSC meeting held on 2009-05-18 pm. PFC SS representatives noted that there were problems in validating the results in the 74th PTSC meeting on 2009-05-25 and another meeting was scheduled on 2009-06-08. Despite further meetings held with the Controller PSRU Ms Vicky KWAN on 2009-06-01 and 2009-06-05, PFC SS still could not validate the tentative 2009 PTS results at the 75th PTSC meeting on 2009-06-08. The reasons have been outlined in letters to the PTSC Chairman Ms Virginia CHOI but can be summarized as follows:-

- (i) **Two companies** have been included in the survey field without proper endorsement by the PTSC, contrary to the established mechanism;
- (ii) It transpires that **one** of those companies was excluded from the 2008 PTS and then included in the 2009 PTS, having a marked effect in both years. The company was excluded in 2008 because in that year the company commenced a radical **new** approach to its pay system, with responsibility moving away from the HR department to individual line managers. They in turn had to base the basic pay adjustments of their staff upon a basket of factors, including “internal and external relativities”. As noted by the PSRU staff in their own file notes, the company therefore had to be excluded upon the basis of paragraphs 11(a)(iii) – year on year comparison not appropriate – and 11(d) – internal and external relativities - of the survey methodology. Material shown to the PFC SS shows that the **new** pay system has not changed in 2009 and the company itself continued to be unable to segregate between those non-pay trend factors and pay trend factors, right the way up to 4th March 2009. On that date they said they could segregate because the management had decided to adopt an exceptional measure, abandoning its pay systems, with a **pay freeze** for 2009 on basic salary. Inclusion of the company in 2009 is therefore inappropriate;
- (iii) Further, we opine that inclusion should not be based upon a one-off exceptional change in pay policy, there should be recognition of the actual situation, which is that in 2009 the company still has its pay policy with the **new** approach to pay in which line managers must consider, amongst other factors, external and internal relativities when

deciding on basic pay adjustments. A one-off pay freeze in 2009 means that although the data itself does not include adjustments due to internal and external relativities, it cannot hide the fact that the company still adopts such an approach to pay and could not segregate such data in 2009. The claim by the company that it would be able to segregate the data in 2010 is yet to be confirmed but does not change the fact of its unsuitability for inclusion in 2008 and 2009; and

- (iv) It is of grave concern that none of the above was explained to members at PTSC meetings on 14th May, 10th October 2008 and 7th January 2009. It is quite apparent that company L080 must be excluded this year on the same basis as last year, namely paragraphs 11(a)(iii) and 11(d) of the agreed methodology. We also repeat that company L080 was never endorsed for inclusion in the 2009 survey field by the PTSC and it is inappropriate for the Controller to make any assumptions in this regard.

The credibility of the Survey is only assured by strict adherence to current methodology. It is necessary to exclude from the Survey any company where there are changes in economic activities, company size or salary structure to such an extent that it is no longer appropriate for data provided to be compared to data provided in the previous year. Our PTSC members have raised reasonable queries on the draft Survey Report with the Controller of the Pay Survey Research Unit (PSRU). The PTSC members have a duty to ensure this is a fair and reasonable process and they approach this serious task to protect the credibility and integrity of the Annual Pay Survey and its process.

The process of the 2009 Pay Trend Survey was tainted, although we are confident the results of 119 companies can be relied upon and indicative of changes in market pay in Hong Kong in 2009.

中譯本

警察評議會職方協會

香港軍器廠街一號警察總部

警政大樓三十九樓

電話 Telephone: 2860 2645

傳真 Fax: 2200 4355



POLICE FORCE COUNCIL STAFF ASSOCIATIONS

39/F, ARSENAL HOUSE

POLICE HEADQUARTERS

1 ARSENAL STREET HONG KONG

協會檔號 OUR REF: (10) in SS/C 1/12 Pt.13

來件編號 YOUR REF:

香港

中環雪廠街 11 號

中區政府合署西翼 10 樓

公務員事務局局長

俞宗怡女士，GBS，JP

俞局長：

2009 年公務員薪酬調整 警隊的薪酬調整要求

盧世雄先生於 2009 年 6 月 8 日的來函(CSBCR/PG 4-085-001/62)收悉，他在信中拒絕了我們的要求，不會把提交薪酬調整要求的期限延至 6 月 22 日。我們認為貴局可以更體諒的態度來對待職方。你也應該理解到面對這項重要工作，特別是經過薪酬趨勢調查委員會 2009 年 6 月 8 日的會議，委員對 2009 年薪酬趨勢調查的初步結果出現意見分歧的情況後，我們的執行委員會需要時間開會，以便籌備和提交一份薪酬調整要求。

面對警隊薪酬這一重要事項，貴局的態度是希望匆匆完成有關程序，完全沒有理會人員的關注，這是我們不能接受的。在公務員事務局局長承諾先完成職系架構檢討，並提供一個公平合理的方案，讓落實建議的日期追溯至 **2008 年 11 月 27 日**，當局現時就 2009 年薪酬趨勢調查所作的任何行動均會被視為不公平和不合理。此外，香港警隊 27 000 名竭誠盡忠的男女警務人員亦不能接受公務員事務局局長認為自己拒絕與警隊討論職系架構檢討，及拒絕履行承諾於 2009 年年中取得行政長官會同行政會議決定，是正確做法的事實，並作出極差的批評。

我們在審慎考慮 2009 年的警隊薪酬調整要求時，已考慮有關 2009

**SUPERINTENDENTS'
ASSOCIATION**
警司協會

**HONG KONG
POLICE INSPECTORS'
ASSOCIATION**
香港警務督察協會

**OVERSEAS INSPECTORS'
ASSOCIATION**
海外督察協會

**JUNIOR POLICE OFFICERS'
ASSOCIATION**
警察員佐級協會

年薪酬趨勢調查初步結果未獲解決的問題、現時在職系架構檢討僵局中人員低落的士氣，以及其他考慮因素，包括經濟狀況、生活費用的改變和政府的財政狀況。

2009年，我們察悉生活費用一般出現上調，而消費物價指數亦出現相關變動，這些情況可參考最近的文件——“立法會參考資料摘要—2009年宣布增加退休金公告”[檔號：CSBCR/AP/4-075-005/5 Pt.12]。文件中提及公務員退休金金額將增加2.5%，以配合逐年的改善。就整體的經濟而言，我們可以參考財經事務及庫務局局長陳家強先生於5月23日發表的聲明，他宣布香港的“銀行體系穩健，我們沒有信貸危機。香港的金融結構相對地較為穩健”。我們認為政府的財政狀況一直而且繼續基礎穩固，從政府在各行業不斷的開支已經是很明顯的例子。此外，令人更加印象深刻的是政府的十大建議項目。我們認為負責任的政府須要在人才和基礎設施方面投放資源，以確保香港的成功要素不會受短視的思想所影響。香港的利益、穩定和市民信心需要依靠一支效率一流和士氣高昂的香港警隊來維持。

相信你已清楚知道在2009年6月8日的薪酬趨勢調查委員會第75次會議上，警察評議會(警評會)職方**沒有**確認2009年薪酬趨勢調查的初步結果。另外兩名委員也支持我們的立場。此外，有兩名委員在確認有關結果之前其實已表示他們的憂慮，認為有關公司實際上已考慮毫無關連的外在因素，例如經濟狀況。他們這樣做違反了薪酬趨勢調查委員會的職權範圍。事實上，當局在其中兩間公司未獲通過納入調查範圍，以及其中一間公司並未符合協議的計算準則的情況下，確認2009年薪酬趨勢調查結果的做法等於濫用有關程序。我們也關注到傳媒報道指政府正在“暗地裏進行遊說工作”，這一再肯定我們最擔心的事情，就是政府濫用有關程序。稍後，我們將會向行政長官提出此事及其他事項，以要求就2008年、2009年薪酬趨勢調查的進行，召開調查委員會會議。有關2009年薪酬趨勢調查的各項問題概要載於附件‘A’。

基於上述各點，警評會職方並不適宜根據有問題的2009年薪酬趨勢調查結果來提交薪酬調查要求。在2009年，薪酬趨勢調查委員會的警隊

代表已經以最認真和負責任的態度來處理他們的工作。我們認為共有 **119** 間經調查的公司(不論有關結果是正數或負數)符合根據行政長官會同行政會議通過制定更完備薪酬機制所訂的薪酬趨勢調查方法，而且值得信賴。2009 年薪酬趨勢調查必須剔除 L080 和 L057 這兩間公司。我們在提交警隊的薪酬調整要求時，將會考慮以 119 間獲准納入 2009 年勢調查範圍的公司所計算出來的薪酬趨勢指標，以及薪酬研究調查組在 5 月 29 日信件中所提供的資料(即低層級別：+0.75%、中層級別：+0.83%、高層級別：-1.59%)。

警評會職方要求應用薪酬趨勢總指標，而無須跟隨當局扣減增薪額的做法，因為現時 75% 的警隊成員並無領取任何按年增薪額，以及考慮以下因素：

- (a) 當局應全面執行職系架構檢討的建議，但警評會職方於 2009 年 2 月 26 日提交公務員事務局局長的警評會職方職系架構檢討文件 2/PPS(修訂本)中所述被認為有問題的建議則除外；
- (b) 當局應全面落實警評會職方職系架構檢討文件 2/PPS 所載的建議，**然後才**應用薪酬趨勢調查的結果(119 間獲通過的公司)；
- (c) 盡快落實上述第(a)、(b) 段所述建議，並按照既定做法，把實施日期追溯至公布職系架構檢討報告書的日期，即 2008 年 11 月 27 日；以及
- (d) 士氣低落是警隊內一個嚴重的問題，而大部分人員對當局延遲執行職系架構檢討建議的做法均感到失望。現時，警務人員與當局之間的信任關係已經破裂。警評會職方正承受越來越大的壓力，被迫就薪酬的問題採取較激進和高姿態的行動。

我們認為任何凍薪建議是嚴重偏離行政長官會同行政會議所通過更完備薪酬機制的做法。我們提出這些意見是因為我們明白到現時的情況非常嚴竣，並要求公務員事務局局長在提交行政長官會同行政會議的意見

書，以及提交立法會公務員及資助機構員工事務委員會的任何文件中**全面**包括我們的意見。雖然警評會職方已隨時準備以認真、理性和負責任的方式來處理由職系架構檢討和 2009 年薪酬趨勢調查所引起的問題，但我們卻不能預計能無止境地令人員保持冷靜。在未來數個星期內，我們促請當局開始以負責任的態度，來處理職系架構檢討和 2009 年薪酬趨勢調查的問題。

| | | | |
|-------|----------|--------|---------|
| (簽署) | (簽署) | (簽署) | (簽署) |
| 警司協會 | 香港警務督察協會 | 海外督察協會 | 警察員佐級協會 |
| 主席岑維健 | 主席廖潔明 | 主席韋理民 | 主席鍾錦華 |

副本送：

行政長官辦公室

政務司司長

公務員事務局局長(經辦人：孫玉菡先生)

警務處處長

紀律人員薪俸及服務條件常務委員會主席

紀律人員薪俸及服務條件常務委員會警務人員小組委員會主席

立法會公務員及資助機構員工事務委員會主席

SF(1) in SS/C 1/12、SF(8) in SS/C 1/12

2009 年 6 月 11 日

2009 年薪酬趨勢調查

在 2009 年 6 月 8 日舉行的薪酬趨勢調查委員會(委員會)會議上，委員對 2009 年薪酬趨勢調查的初步結果意見分歧。其中，警察評議會(警評會)職方代表及另外兩名委員會委員未能支持有關方面把不妥為符合附錄 B 第 11(a)(iii)段訂明現有準則的任何公司納入調查範圍。他們代着來自職方評議會十名職方委員的其中四名，並獲得超過 100 000 名會員的支持，佔 160 000 名公務員的大多數。此外，對於有關方面把某間公司納入調查的做法，另外兩名委員會職方代表則提出了他們的保留意見和不明確的立場。不過，他們最後也確認了有關結果，違反了其身為委員會委員的專職。薪酬研究調查組(調查組)監督和委員會主席蔡惠琴女士一直選擇性地公開有關資料，以致委員會會議的程序被濫用，又未能提供所需資料，以便委員在知情的情況下作出適當的決定。調查組拒絕讓委員適當地檢閱令委員有不同意見的兩間公司的文件，以及剔除另外 20 間公司的做法，已經令人懷疑調查組和有關程序的公信力。

2009 年薪酬趨勢調查的**初步**結果，是在 2009 年 5 月 18 日下午舉行的委員會第 73 次會議上公布的。在 2009 年 5 月 25 日舉行的委員會第 74 次會議上，警評會職方表示在確認有關結果方面有困難，故委員會再定於 2009 年 6 月 8 日舉行另一次會議。雖然警評會職方曾於 2009 年 6 月 1 日和 6 月 5 日兩度與調查組監督關麗琴女士會面，但其後仍然未能在 2009 年 6 月 8 日委員會第 75 次會議上，確認 2009 年薪酬趨勢調查的初步結果。有關原因已經列述發給委員會主席蔡惠琴女士的信件中，現概述如下：

- (i) 獲納入調查範圍的其中**兩間**公司未曾經委員會適當的通過，違反了既定的機制；

- (ii) 據知其中一間公司在 2008 年薪酬趨勢調查中曾經被剔除，然後又被納入 2009 年薪酬趨勢調查，對該兩年的調查結果造成明顯的影響。該公司於 2008 年被剔除是因為當年該公司的薪酬制度曾經進行徹底的改革，把有關薪酬的責任由人力資源部交予個別部門經理。然後有關經理會以一籃子因素包括“內外對比關係”來釐定屬下員工的基本薪酬調整。據調查組人員在其檔案資料中表示，該公司被剔除是因為不符合調查方法第 11(a)(iii)段的規定——逐年比較不再恰當；以及不符合第 11(d)段的規定——內外對比關係。據調查組向警評會職方提供的資料顯示，該公司的新薪酬制度在 2009 年並無改變，而該公司本身繼續無法分開非薪酬趨勢因素與薪酬趨勢因素，這情況一直維持至 2009 年 3 月 4 日。當日，該公司表示他們已能夠分開有關因素，原因是管理層已決定採取特殊措施，放棄其薪酬制度，並於 2009 年就基本薪金作出凍薪安排。因此，當局不宜把該公司納入 2009 年的調查範圍。
- (iii) 此外，我們認為把有關公司納入調查範圍，不應根據一次性特殊薪酬政策的改變而定。當局應確認實際的情況，即是在 2009 年，該公司仍然訂有其薪酬政策，並就薪酬採取新方向。根據有關政策，部門經理在考慮基本薪酬調整時，必須考慮不同因素，包括內外對比關係。2009 年的一次性凍薪安排表示，雖然數據本身不包括因內外對比關係而引致的調整，但卻不能掩飾該公司仍然就薪酬採取該種方法的事實，故不能在 2009 年分開有關數據。該公司聲稱他們能在 2010 年分開有關數據的講法仍有待確認，但這並不能改變其不宜納入 2008 年、2009 年調查範圍的事實；以及
- (iv) 在 2008 年 5 月 14 日、10 月 10 日和 2009 年 1 月 7 日的委員會會議上，當局並無向委員解釋上述任何一點，這情況令人非常關注。顯然，公司 L080 必須根據與去年相同的理由而在今年的調查中被剔除，即未能符合協議調查方法第 11(a)(iii)段和第 11(d)段的規定。我們亦一再重覆表示，公司 L080 從未獲委員會通過

納入 2009 年薪酬趨勢調查範圍。因此，監督不宜就此作出任何假定。

只有嚴格遵守現時的調查方法才可確保調查的公信力。當局必須從調查中剔除任何公司，假如公司業務、規模或薪俸結構出現很大變化，以致不再適宜把已提供的資料與去年提供的數據進行比較。委員會委員曾經就調查報告擬稿，向調查組監督提出合理的質詢。委員會委員有責任確保調查過程公平合理，而他們擔任這項重要工作的目的，是要維護這項每年一度薪酬調查及其過程的公信力和誠信。

雖然我們有信心由該 119 間公司所計算的調查結果值得信賴，並代表 2009 年香港市場薪酬的變動情況，但 2009 年薪酬趨勢調查的過程是存在着問題的。

(Chinese version only)

(只附中文版)

紀律部隊評議會(職方)

Disciplined Services Consultative Council
(Staff Side)

Annex C

附件 C

本函檔號：SSDSCC/P-3
來函檔號：CSBCR/PG/4-085-001/62Room 139
Central Government Offices
East Wing
Lower Albert Road
Hong Kong
Tel. No. 2810 2703
Fax No. 2537 6937中環下亞厘畢道
中區政府合署西座十樓
公務員事務局局長
俞宗怡女士
俞局長：

二零零九至一零年度公務員薪酬調整

紀評(職方)對二零零九至一零年度公務員薪酬調整
的意見如下：

- (i) 紀評(職方)絕對相信公務及司法人員薪俸及服務條件諮詢委員會聯合秘書處轄下的薪酬研究調查組，在進行二零零九年薪酬趨勢調查期間，是根據慣常機制，並按經核准的調查方法，以專業及不偏不倚的原則和態度進行調查；
- (ii) 紀評(職方)確認由公務及司法人員薪俸及服務條件諮詢委員會聯合秘書處轄下的薪酬研究調查組進行的二零零九年薪酬趨勢調查報告結果；

政府飛行服務隊機師工會
Government Flying Service
Pilots' Union政府飛行服務隊空勤主任協會
Government Flying Service
Aircrewmen Officers Association政府飛行服務隊飛機工程師會
Government Flying Service
Aircraft Engineers Association政府飛行服務隊飛機技術員工會
Government Flying Service
Aircraft Technicians Union懲教事務職員協會(高級組)
Correctional Services
Officers' Association
(Senior Section)懲教事務職員協會(初級組)
Correctional Services
Officers' Association
(Junior Section)香港海關官員協會
Association of Customs &
Excise Service Officers香港海關關員工會
Hong Kong Customs
Officers Union香港消防控制組職員會
Hong Kong Fire Services
Control Staff's Union香港消防處總員會
Hong Kong Fire
Services Department
Ambulancemen's Union香港消防處救護主任協會
Hong Kong Fire Services
Department Ambulance
Officers Association香港消防主任協會
Hong Kong Fire Services
Officers Association香港消防處職工總會
Hong Kong Fire Services Department
Staffs General Association香港入境事務助理員工會
Hong Kong Immigration
Assistants Union入境事務主任協會
Immigration Service
Officers Association

- (iii) 紀評(職方)支持政府按既定的機制，決定二零零九至一零年度公務員的薪酬調整幅度，即除考慮薪酬趨勢淨指標外，政府亦應考慮經濟狀況、政府的財政狀況、生活費用的變動、職方的薪酬調整要求及公務員士氣；及
- (iv) 紀評(職方)願意與政府和市民共度時艱，但政府亦必須按機制，落實紀律人員薪俸及服務條件常務委員會於二零零八年十一月二十七日公布的職系架構檢討報告書內所有能提升紀律部隊士氣的建議，如提高各職級頂薪點的建議，生效日期應定為二零零九年四月一日，並具追溯效力。

紀律部隊評議會(職方)主席倪錫水



二零零九年六月九日

Rm. 137, 1/F,
Central Government Offices,
East Wing,
20 Lower Albert Road,
Hong Kong.

第一標準薪級公務員評議會(職方)
MODEL SCALE 1 STAFF CONSULTATIVE COUNCIL
(STAFF SIDE)

Tel No.: 2810 2209
Fax No.: 2537 8630
E-mail: crystal_yk_lee@csb.gov.hk

香港中環下亞厘畢道二十號
中區政府合署東座一三七室
電話：二八一零二二零九
傳真：二五三七八六三零

本函檔號：SSMOD/SAL/PAY/5/7/1
來函檔號：CSBCR/PG/4-085-001/62

香港中環雪廠街 11 號
中區政府合署西座
公務員事務局局長
俞宗怡女士

俞局長：

二零零九至一零年度公務員薪酬調整

本評議會(職方)以下成員工會，包括政府僱員工會、政府人員協會、政府市政職工總會、香港公務員總工會、漁農自然護理署職工會、香港政府水務署職工會及政府產業看管人員協會，建議本年度基層公務員的薪金維持不變。

根據薪酬趨勢調查結果，低層薪金級別的總指標在扣除相應的遞增薪額開支後，僅出現輕微的負數。事實上，政府在考慮公務員的薪酬調整時，除了參考薪酬趨勢淨指標外，亦應顧及其他重要因素如員工士氣，經濟狀況及職方對薪酬調整的要求。

政府已多年沒有招聘第一標準薪級公務員，加上自然流失的問題，基層員工的工作量及工作壓力均有增無減。再者，在面對新型流感的威脅下，公務員緊守崗位，全力抗疫。假如政府在今年削減基層員工的薪酬，定必打擊員工的士氣。

在金融海嘯的影響下，香港經濟持續下滑。政府理應鼓勵市民消費，刺激經濟增長；削減薪酬，卻會影響員工的消費意欲，亦可能在社會上產生連帶反應。

就第一標準薪級公務員而言，絕大部份的員工已達頂薪點，不會有按年遞加的增薪。雖然本港通脹開始放緩，但並未全面反映在日常生活的本開支中。凍薪建議有助維持基層員工的現有生活水平。

最後，我們希望局方慎重考慮各方因素後，才就本年度的公務員薪酬調整幅度作出決定。最終，我們會尊重現行的薪酬趨勢調整機制。

第一標準薪級公務員評議會
職方主席



二零零九年六月九日