

For discussion
on 18 February 2013

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LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Provision of Paternity Leave to Government Employees

Introduction

This paper provides members with an update on the provision of paternity leave to government employees.

Background

2. The Panel on Public Service discussed the proposed scheme for the provision of paternity leave to government employees¹ at its meeting on 19 December 2011. Members were generally supportive of the early implementation of the proposal.

3. Having regard to the views expressed by Members at the meeting and the comments received during staff consultation, we finalised the arrangements for the provision of paternity leave to government employees and informed the Panel regarding the implementation of the new measure vide an information paper on 28 March 2012. The provision of five working days of full-pay paternity leave to eligible government employees took effect from 1 April 2012. The major features of the scheme are set out at the **Annex**.

Present Position

4. During the nine-month period from 1 April to 31 December 2012, a total of 2,101 government employees (including 2,010 civil servants (95.7% of

¹ Government employees do not include employees of contractors and service providers to the Government.

the total) and 91 non-civil servants (4.3%)) have taken paternity leave in the said period. All the paternity leave applications during the said period have been approved. Amongst these leave takers, 57.8% (i.e. 1,214) are government employees of the six Disciplined Services Departments². Three quarters of all the leave takers (i.e. 75.3% or 1,582) are from the ten Departments³ with most paternity leave applications during the period.

5. So far, the implementation of the scheme in all Bureaux/Departments has been smooth and the views on the paternity leave arrangements are positive. We will keep the paternity leave scheme under review having regard to further operational experience of Bureaux/Departments, feedback from departmental management and staff, and the progress on legislating for provision of paternity leave.

Views sought

6. Members are invited to note the information in this paper.

Civil Service Bureau
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² The six Disciplined Services Departments are the Hong Kong Police Force, Fire Services Department, Immigration Department, Customs and Excise Department, Correctional Services Department and Government Flying Service. As at 30 September 2012, the strength of male civil servants in these six Disciplined Services Departments accounts for 47.6% of total strength of male civil servants in all Bureaux/Departments.

³ The ten Departments are the Hong Kong Police Force, Fire Services Department, Immigration Department, Customs and Excise Department, Correctional Services Department, Leisure and Cultural Services Department, Electrical and Mechanical Services Department, Food and Environmental Hygiene Department, Housing Department and Hongkong Post. As at 30 September 2012, the strength of male civil servants in these ten Departments accounts for 69.4% of total strength of male civil servants in all Bureaux/Departments.

Major Features of Paternity Leave Scheme for Government Employees

- (a) Five working days of paternity leave on full-pay basis will be provided to eligible employees on the occasion of each childbirth within marriage. The Secretary for the Civil Service has discretion to grant paternity leave to eligible employees on the occasion of childbirth outside of marriage on a case-by-case basis;
- (b) paternity leave will be provided to eligible employees irrespective of the number or place of childbirth;
- (c) all full-time⁴ male government employees (including civil servants, non-civil service contract (NCSC) staff and political appointees) with not less than 40 weeks' continuous service immediately before the expected or actual date of childbirth will be eligible for paternity leave;
- (d) paternity leave may be taken during the period from four weeks before the expected date of childbirth to eight weeks after the actual date of childbirth;
- (e) an eligible officer may take paternity leave in one stretch or in splits. The relevant Bureau/Department may specify the mode of taking paternity leave with a view to striking an appropriate balance between operational considerations and the needs of individual officer; and
- (f) any untaken paternity leave cannot be encashed or carried forward to a future childbirth.

⁴ For the purpose of the provision of paternity leave, "full-time" means the employment is on a "continuous contract" as defined in the Employment Ordinance (Cap. 57), namely an employee who works continuously for the same employer for four weeks or more, with at least 18 hours in each week.