

## 立法會參考資料摘要

### 二零零九至一零年度公務員薪酬調整

#### 引言

在二零零九年六月二十三日的會議上，行政會議**建議**，行政長官**指**  
**令**—

- (a) 凍結低層和中層薪金級別公務員的薪酬；
  - (b) 高層薪金級別或以上的公務員減薪 5.38%，但高層薪金級別內的任何一個薪點均不應低於 48,700 元（即較中層薪金級別的上限 48,000 元多 300 元）；以及
- A (c) 應向立法會提交載於附件 A的《公職人員薪酬調整條例草案》（《條例草案》）。

#### 理據

##### (A) 向職方提出的薪酬調整方案

2. 按照行政長官會同行政會議於二零零九年六月十六日的決定，我們已向四個中央評議會職方提出以下的薪酬調整方案，以作進一步諮詢—

- (a) 凍結低層和中層薪金級別的公務員的薪酬；及
- (b) 高層薪金級別或以上的公務員減薪 5.38%，但高層薪金級別內的任何一個薪點均不應低於 48,700 元（即較中層薪金級別的上限 48,400 元多 300 元）。

3. 在不影響行政長官會同行政會議就二零零九至一零年度公務員薪酬調整的任何決定的前設下，我們同時以傳閱方式把《條例草案》的擬稿送交他們參考。我們曾邀請警察評議會（警評）職方及高級公務員評議會（高評）職方會面，以討論《條例草案》的內容。該兩個評議會均拒絕了我們的邀請。

## (B) 職方對公務員薪酬調整方案的回應

B 至 E  
F 至 G  
H

4. 四個公務員中央評議會對薪酬調整方案的回應載於附件 B 至 E。另外，警評職方及香港政府華員會(華員會)分別於二零零九年六月十九日及二十二日，各自發送一封信件予行政會議成員。這兩封信件載於附件 F 及 G。警評職方亦於二零零九年六月十九日致函行政長官提出呈請(載於附件 H)，要求行政長官委任調查委員會調查和研究二零零九年薪酬趨勢調查引起的問題，並且在調查委員會完成工作前，不要就二零零九年的警務人員薪酬調整作出決定。警評職方的呈請信件副本亦同時送交予各行政會議成員及立法會議員。

5. 簡單而言，除了警評職方外，其餘三個中央評議會的職方都同意中層及低層薪金級別公務員的凍薪方案。

6. 香港海外公務員協會及香港高級公務員協會簡單而言，認為高層薪金級別公務員減薪 5.38%的方案不合理和不可接受。他們的理由是 (i) 香港正面對通脹情況，(ii) 當局暫緩執行首長級及兩個文職職系的職系架構檢討<sup>1</sup>建議，(iii) 向高層薪金級別與中層和低層薪金級別公務員建議的不同處理方法造成不公平及分化性的情況，(iv) 高層薪金級別建議的減薪幅度是有記錄以來最高的，以及(v) 薪酬調整理應不單止考慮薪酬趨勢指標，而是要考慮包括公務員士氣在內的數項因素。他們認為凍結三個薪金級別的薪酬是公平和合理的薪酬調整方案。

7. 香港高級公務員協會進一步建議假若當局不接納他們提出凍結高層薪金級別公務員薪酬的建議，亦應最低限度對按總薪級表第 34 至 44 點支薪的人員實施凍薪。原因是這些人員通常都是介乎 30 至 40 歲，他們剛開始組織家庭，而且家庭及財政負擔沉重。再者，這些人員的薪酬亦不是大幅度高於中層薪金級別的人員。

8. 簡單而言，香港政府華員會 (華員會)重申他們較早前的立場，即當局應該一致性凍結全體公務員的薪酬。他們認為這樣可以將對公務員隊伍的影響減至最低，亦可避免因為二零零九年薪酬趨勢調查而可能引發的紛爭。(薪酬趨勢調查委員會內的兩名華員會代表並沒有接納及確認二零零九年的薪酬趨勢調查結果，他們一位隸屬高評，而另一位則隸屬第一標準薪級公務員評議會)。

9. 簡單而言，紀律部隊評議會 (紀評)職方認為基於公平原則，高層薪金級別公務員的薪酬亦應被凍結。假若當局認為有需要削減這個組別的公務員的薪酬的話，基於員工士氣及公平的理由，減薪的幅度亦應由 5.38% 調整為 3.45%。他們的理由是 (i) 向中層薪金級別公務員實施凍薪實際上是將

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<sup>1</sup> 當局於二零零七年年末，邀請相關的公務員薪俸及服務條件諮詢組織，為包括首長級職系及選定的非首長文職職系在內的職系進行職系架構檢討。非首長級文職職系的職系架構檢討包括政府律師職系、相關的律師職系和法律援助律師職系，以及獸醫師職系。這兩項職系架構檢討的報告書連同紀律部隊的職系架構檢討報告書已於二零零八年十一月二十七日呈交行政長官。

該薪金級別的薪酬趨勢總指標所顯示的-1.34%減幅擱置。在釐定高層薪金級別的公務員的薪酬調整時，亦應該將相同幅度的減幅擱置，及(ii)不應將高層薪金級別公務員在二零零八至零九年度的遞增薪額開支（即 0.59%）計算在內。雖然紀評職方強調他們尊重既定的機制及如果當局決定減薪的話，他們願意接受，但他們認為當局亦應按照既定的機制，落實執行紀律部隊職系架構檢討報告書內所有可以提升員工士氣的建議，並將生效日期追溯至二零零九年四月一日。

10. 簡單而言，警評職方認為薪酬調整方案嚴重偏離了行政長官會同行政會議在二零零七年通過的改良機制，同時亦將薪酬調整機制政治化，因此他們不能夠接受。他們重申不能接受二零零九年薪酬趨勢調查的結果，因為這個調查納入了編碼為 L080 及 L057 這兩間不應被納入調查範圍內的公司，而在計算薪酬趨勢總指標時亦不應包括這兩間公司的數據。他們只能夠接受剔除這兩間公司後重新計算的薪酬趨勢總指標（即低層薪金級別為+0.75%，中層為+0.83%，及高層為 -1.59%）。他們聲稱假若公務員最終要被減薪，警務人員不應被牽涉在內。因為警察的角色在香港是獨特的，而且警察在二零零九年正面對一連串的挑战。他們要求紀律部隊職系架構檢討的有關建議（除了他們認為是有問題的以外）須於應用經重新計算的薪酬趨勢總指標前付諸實行，並將生效日期追溯至二零零八年十一月二十七日。

### (C) 二零零九至一零年度公務員薪酬調整幅度

11. 經考慮職方對薪酬調整方案的回應內容及每年公務員薪酬調整的相關考慮因素（即薪酬趨勢淨指標、經濟狀況、生活費用的變動、政府的財政狀況、職方對薪酬調整的要求及公務員士氣）後，行政長官會同行政會議仍然認為行政會議在二零零九年六月十六日提出的薪酬調整方案是一個合理的決定。就此，行政長官會同行政會議決定按薪酬調整方案調整公務員的薪酬。

## 《公職人員薪酬調整條例草案》

12. 為確保公務員減薪能在確實無疑的情況下進行，並避免可能的法律挑戰，我們需以立法方式進行減薪。旨在落實削減高層薪金級別或以上的公務員薪酬的建議的《公職人員薪酬調整條例草案》已擬備並載於附件 A。

### (A) 《條例草案》的涵蓋範圍

13. 《條例草案》的涵蓋範圍如下一

- (a) 屬高層薪金級別或以上的公務員，包括醫院管理局中工作的公務員（即月薪高於 48,400 元的人員）；
- (b) 月薪高於 48,400 元的廉政公署（廉署）人員。廉署人員的薪酬調整是根據既定的做法，完全按照屬相若級別的公務員的薪酬調整而進行調整；

- (c) 審計署署長，其薪酬是由行政長官根據《核數條例》（香港法例第122章）第4A條，透過在憲報刊登的命令釐定。目前，審計署署長的薪酬定為相等於首長級薪級第6點的金額，另加首長級薪級第6點與第7點的相差金額的25%；
- (d) 薪酬是根據公務員的薪酬釐定及／或與公務員薪酬調整掛鈎而月薪高於48,400元的公職人員，但不屬上文(a)至(c)項所述的公職人員；以及
- (e) 與公務員薪酬調整掛鈎的津貼。

14. 《條例草案》不適用於一

- (a) 法官及其他司法人員，他們的薪酬按照一套獨立的機制調整，與適用於公務員的機制沒有關連；
- (b) 政治任命官員，他們的薪酬與公務員的薪酬脫鈎；
- (c) 政府聘用的非公務員合約僱員，他們按照一套獨立的聘用條件受聘，與公務員的聘用條件不同；
- (d) 資助機構的員工，他們按照個別機構所訂立的條款和條件受聘，並受《僱傭條例》（香港法例第57章）規管。我們認為，這些人員的薪酬應按照其合約條款及《僱傭條例》的有關規定調整；
- (e) 薪酬並非根據公務員的薪酬釐定及／或與公務員的薪酬調整掛鈎的公職人員；以及
- (f) 與公務員薪酬調整無關連的津貼，例如：房屋津貼、教育津貼及度假旅費津貼等。

**(B) 減薪的實施日期**

15. 根據《條例草案》，減薪將於條例草案實施後翌月的第一天生效<sup>2</sup>（下稱“實施日期”）。

**(C) 《條例草案》的主要條文**

16. 《條例草案》的主要條文如下：

- (a) 草案第2條界定《條例草案》中所用的詞語；

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<sup>2</sup> 根據《釋義及通則條例》（香港法例第1章），條例獲立法會通過後，將於憲報刊登當日開始生效。

- (b) 草案第 3 條規定所有薪點的港元價值須調高至最接近的 5 元的倍數，並規定如經調整後，某個薪點的港元價值少於 48,700 元，則須調高至 48,700 元；
- (c) 草案第 4 條規定，《條例草案》不適用於法官及其他司法人員；
- (d) 草案第 5 條將公務員薪級表及醫院管理局薪級表（只適用於醫院管理局任職的公務員）上的有關薪點的港元價值，調低 5.38%，自實施日期起生效；
- (e) 草案第 6 條將廉署人員薪級表上的有關薪點的港元價值，調低 5.38%，自實施日期起生效；
- (f) 草案第 7 條將須支付予審計署署長的薪酬，調低 5.38%，自實施日期起生效；
- (g) 草案第 8 條規定，如公職人員的月薪在 48,400 元以上（公務員、草案第 6 條所涵蓋的廉署人員及審計署署長除外），以及其薪酬是可直接或間接按照或參照公務員薪級表或廉署人員薪級表上某個薪點而釐定及／或調整的，或者直接或間接按照或參照有關薪級表的調整（如適用的話）而釐定及／或調整的，則其薪酬須依照《條例草案》的調整而作出相應的調整；
- (h) 草案第 9 條將經調整的薪級表應用於按照或參照相關薪級表上某個或某些薪點而釐定的津貼款額上；
- (i) 草案第 10 條規定，可直接或間接按照或參照有關薪級表的調整而調整的津貼款額須按照或參照經《條例草案》調整的相關薪級表的調整幅度而調整；
- (j) 草案第 11 條清楚訂明，《條例草案》並不禁止或影響在實施日期或之後生效的薪酬調整或津貼調整；
- (k) 草案第 12 條更改公職人員的僱傭合約，致使該等合約明示授權藉《條例草案》所作出的調整；以及
- (l) 草案第 13 條廢除已失時效的《公職人員薪酬調整條例》（香港法例第 574 章）及《公職人員薪酬調整（2004 年／2005 年）條例》（香港法例第 580 章）。

## 立法程序時間表

17. 立法程序時間表如下－

刊登憲報	二零零九年六月二十六日
首讀和開始二讀辯論	二零零九年七月八日
恢復二讀辯論、委員會審議階段和三讀	另行通知

## 建議的影響

18. 建議對《基本法》、財政和經濟的影響，與二零零九年六月十六日就這事宜所發出的立法會參考資料摘要所載一樣。

## 宣傳安排

19. 公務員事務局局長在今天(二零零九年六月二十三日)較早前已告知職方二零零九至一零年度公務員薪酬調整的決定及其他相關事宜。公務員事務局會於今天稍後發出新聞稿和安排發言人回答傳媒查詢。立法會公務員及資助機構員工事務委員會會在二零零九年六月二十九日的例會(即條例草案在二零零九年七月八日提交立法會首讀和二讀之前)，討論二零零九至一零年度公務員薪酬調整。

## 負責人員

20. 有關參考資料摘要的查詢，可與公務員事務局首席助理秘書長孫玉菡先生聯絡(電話：2810 3112)

公務員事務局  
二零零九年六月二十三日



# 《公職人員薪酬調整條例草案》

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# 本條例草案

## 旨在

調整須支付予以下人士的薪酬及某些津貼的款額：某些公務員及廉政公署人員，以及薪酬或津貼款額是可按照或參照公務員薪級表或廉政公署人員薪級表而釐定或(就薪酬而言)釐定和調整的某些其他公職人員，及薪酬或津貼款額是可按照或參照該等薪級表的調整而調整的某些其他公職人員。

由立法會制定。

## 第 1 部

### 導言

#### 1. 簡稱

本條例可引稱為《公職人員薪酬調整條例》。

#### 2. 釋義

(1) 在本條例中 —

“公務員” (civil servant) 指由政府按公務員聘用條款僱用任職公務員職級的公職人員；

“公務員薪級表” (civil service pay scale) 指附表第 1 部所指明的任何薪級表，但範圍限於關涉介乎該部所指明的該薪級表上的薪點之間(包括如此指明的兩個薪點)的各薪點；

“津貼” (allowance) 指薪酬以外的須支付予公職人員的任何報酬；

“廉署人員” (ICAC officer) 指屬《廉政公署條例》(第 204 章)所指的廉署人員的公職人員；

“廉署人員薪級表” (ICAC pay scale) 指附表第 2 部所指明的薪級表，但範圍限於關涉介乎該部所指明的該薪級表上的薪點之間(包括如此指明的兩個薪點)的各薪點；

“實施日期” (operative date)指緊接本條例生效的月份之後的月份的首天；

“薪級表” (pay scale)指公務員薪級表、醫院管理局薪級表或廉署人員薪級表；

“薪酬” (pay)指須以薪金、工資、顧問酬金或酬金形式支付予公職人員的任何報酬；

“醫院管理局公務員” (Hospital Authority civil servant)指任職於醫院管理局而薪酬是按照醫院管理局薪級表的某個薪點而釐定的公務員；

“醫院管理局薪級表” (Hospital Authority pay scale)指附表第 3 部所指明的任何薪級表，但範圍限於關涉介乎該部所指明的該薪級表上的薪點之間(包括如此指明的兩個薪點)的各薪點。

(2) 如須支付予公職人員的薪酬或津貼款額，是可根據規則(不論如何稱述)而調整的，而按該等規則所提述，公務員薪酬的增加，是調整首述薪酬或津貼款額所參照的唯一因素或其中一個因素，則為施行本條例，就第 8 條適用的公職人員而言，該項對公務員薪酬的增加的提述須視為提述公務員薪級表的調整。

### **3. 薪點及薪酬調整規則**

(1) 如本條例調整薪級表上某個薪點，而所得的該薪點的港元價值款額，並非\$5 的倍數，則所得的港元價值，須調高至最接近的\$5 的倍數。

(2) 如本條例調整(已按規定調高者)薪級表上某個薪點，而所得的該薪點的港元價值款額，少於\$48,700，則所得的港元價值，須調高至\$48,700。

(3) 如根據第 7 條調整須支付予審計署署長的薪酬，或根據第 8 條調整須支付予公職人員的薪酬，而所得的港元價值，並非\$5 的倍數，則所得的港元價值，須調高至最接近的\$5 的倍數。

#### 4. 不適用於司法人員

本條例不適用於 —

- (a) 須支付予出任《司法人員推薦委員會條例》(第 92 章)附表 1 指明的司法職位的人士的薪酬或津貼；或
- (b) 須支付予由行政長官或終審法院首席法官委任的任何其他司法人員的薪酬或津貼。

## 第 2 部

### 薪酬的調整

#### 5. 公務員

(1) 在實施日期當日，每個公務員薪級表均予調整，方式為將該薪級表上每個薪點的港元價值，調低 5.38%。

(2) 須按照已根據第(1)款調整的公務員薪級表支付予公務員的薪酬，須自實施日期開始之時起支付。

(3) 在實施日期當日，每個醫院管理局薪級表(僅在其適用於醫院管理局公務員的範圍內)均予調整，方式為將該薪級表上每個薪點的港元價值，調低 5.38%。

(4) 須按照適用於某醫院管理局公務員並已根據第(3)款調整的醫院管理局薪級表支付予該公務員的薪酬，須自實施日期開始之時起支付。

#### 6. 按照廉署人員薪級表支薪予廉署人員

(1) 在實施日期當日，廉署人員薪級表予以調整，方式為將該薪級表上每個薪點的港元價值，調低 5.38%。

(2) 須按照已根據第(1)款調整的廉署人員薪級表支付予廉署人員的薪酬，須自實施日期開始之時起支付。

## 7. 審計署署長

(1) 在實施日期當日，須支付予審計署署長的薪酬予以調整，方式為將該薪酬調低 5.38%，而經如此調整的該薪酬，須自實施日期開始之時起支付。

(2) 儘管《核數條例》(第 122 章)第 4A 條或根據該條作出的命令有任何相反規定，本條仍屬有效。

## 8. 其他公職人員

(1) 本條適用於緊接在實施日期之前每月薪酬多於\$48,400 但不屬公務員、第 6(2)條所涵蓋的廉署人員或審計署署長的公職人員。

(2) 如須支付予公職人員的薪酬，是可直接或間接按照或參照公務員薪級表或廉署人員薪級表上某個薪點而釐定的，則自實施日期開始之時起，該薪酬須按照或參照經第 5(1)或 6(1)條(視情況所需而定)調低的該薪點的港元價值而釐定。

(3) 如須支付予公職人員的薪酬，是可直接或間接按照或參照公務員薪級表或廉署人員薪級表的調整而調整的，則在該薪酬可如此調整的範圍內，於在實施日期或之後對該薪酬作出首次調整的當日，該薪酬須按照或參照第 5(1)或 6(1)條(視情況所需而定)調整該薪級表的調整幅度而調整，而經如此調整的該薪酬，須自該日開始之時起支付。

(4) 如須支付予公職人員的薪酬，是可直接或間接按照或參照公務員薪級表或廉署人員薪級表上某個薪點而釐定和調整的，則自實施日期開始之時起，該薪酬須按照或參照經第 5(1)或 6(1)條(視情況所需而定)調低的該薪點的港元價值而釐定和調整。

## 第 3 部

### 津貼的調整

#### 9. 可按照或參照某個或某些薪點而釐定的津貼

如須支付予公職人員的津貼款額，是可直接或間接按照或參照公務員薪級表或廉署人員薪級表上某個或某些薪點而釐定的，則自實施日期開始之時起，在該津貼是須為始於實施日期或之後的任何期間而支付(或是可歸因於該期間)的範圍內，該款額須按照或參照經第 5(1)或 6(1)條(視情況所需而定)調低的該個或該等薪點的港元價值而釐定，而所得之數中不足一港元的零數，亦作一港元計算。

#### 10. 可按照或參照薪級表的調整而調整的津貼

(1) 如須支付予公職人員的津貼款額，是可直接或間接按照或參照公務員薪級表或廉署人員薪級表的調整而調整的，則在該款額可如此調整的範圍內，於在實施日期或之後對該津貼款額作出首次調整的當日，該款額須按照或參照第 5(1)或 6(1)條(視情況所需而定)調整該薪級表的調整幅度而調整，而所得之數中不足一港元的零數，亦作一港元計算。

(2) 在經調整的津貼是須為始於作出該調整之日或之後的任何期間而支付(或是可歸因於該期間)的範圍內，經調整的津貼須自作出該調整之日開始之時起支付。

## 第 4 部

### 一般條文及廢除

#### 11. 日後的調整

本條例並不禁止或影響在實施日期或之後，對須支付予公職人員的薪酬或津貼款額作出任何其他調整，亦不禁止或影響自實施日期或任何較後日期起生效的任何該等其他調整，而就審計署署長而言，包括根據《核數條例》(第 122 章)第 4A 條作出的命令。

## 12. 明示授權作出調整

公職人員的僱傭合約現予更改，使之對本條例就須支付予公職人員的薪酬或津貼款額作出的調整，給予明示授權。

## 13. 廢除

《公職人員薪酬調整條例》(第 574 章)及《公職人員薪酬調整(2004 年/2005 年)條例》(第 580 章)現予廢除。

### 附表

[第 2 條]

### 薪級表

#### 第 1 部

#### 公務員薪級表

1. 總薪級表 — 34(33A)點至 49 點
2. 警務人員薪級表 — 36 點至 59 點
3. 一般紀律人員(指揮官級)薪級表 — 1 點至 4 點
4. 一般紀律人員(主任級)薪級表 — 20 點至 38 點
5. 首長級薪級表 — D1 點至 D10 點
6. 首長級(律政人員)薪級表 — DL1 點至 DL7 點

#### 第 2 部

#### 廉署人員薪級表

- 廉政公署人員薪級表 — 28 點至 48 點

## 第 3 部

### 醫院管理局薪級表

1. 醫院管理局一般職系薪級表 — 34 點至 56 點
2. 醫院管理局管理職系薪級表 — 9 點至 46 點

### 摘要說明

本條例草案旨在調整須支付予以下人士的薪酬及某些津貼的款額：某些公務員及廉政公署人員，以及薪酬或津貼款額是可按照或參照公務員薪級表或廉政公署人員薪級表而釐定或(就薪酬而言)釐定和調整的某些其他公職人員，及薪酬或津貼款額是可按照或參照該等薪級表的調整而調整的某些其他公職人員。受本條例草案影響的薪級表，為本條例草案的附表內描述的公務員薪級表、醫院管理局薪級表(在其適用於任職於醫院管理局的公務員的範圍內)及廉署人員薪級表。就部分的薪級表而言，涉及高級人員的某些薪點的部分才屬本條例草案下的薪級表。本條例草案並不影響薪級表上港元價值為\$48,400 或以下的各薪點。

### 第 1 部 — 導言

2. 草案第 2 條界定本條例草案中所用的詞語，並就有提述公務員薪酬的增加，是調整須支付予公職人員的薪酬或津貼款額所參照的唯一因素或其中一個因素的規則的效力，作出規定。
3. 草案第 3 條載有規則，規定將經調整的薪級表薪點的港元價值及實際薪酬款額小幅調高。
4. 草案第 4 條規定，本條例草案並不適用於司法人員。

### 第 2 部 — 薪酬的調整



5. 草案第 5 條將公務員薪級表及醫院管理局薪級表(在其適用於任職於醫院管理局的公務員的範圍內)上每個薪點的港元價值，調低 5.38%。自實施日期開始之時起，須按照經調整的薪級表支付薪酬予公務員。實施日期一詞在草案第 2 條中被界定為本條例草案(於制定後)生效的月份之後的下個月份的首天。
6. 草案第 6 條將廉署人員薪級表上每個薪點的港元價值，調低 5.38%。自實施日期開始之時起，須按照經調整的薪級表支付薪酬予廉署人員。
7. 草案第 7 條將須支付予審計署署長的薪酬，調低 5.38%，自實施日期開始之時起生效。
8. 如緊接在實施日期之前每月薪酬多於\$48,400 的某些其他公職人員，其薪酬是可直接或間接按照或參照公務員薪級表或廉署人員薪級表上某個薪點而釐定或釐定和調整的，則自實施日期開始之時起，經本條例草案(於制定後)調整的該薪級表藉草案第 8 條適用於該等公職人員。該條亦載有調整規則，適用於可直接或間接按照或參照公務員薪級表或廉署人員薪級表的調整而調整的須支付予公職人員的薪酬。

### 第 3 部 — 津貼的調整

9. 如須支付予公職人員的津貼款額，是可直接或間接按照或參照公務員薪級表或廉署人員薪級表上某個或某些薪點而釐定的，則自實施日期開始之時起，經本條例草案(於制定後)調整的該薪級表藉草案第 9 條適用於釐定該款額。
10. 草案第 10 條載有調整規則，規則適用於須支付予公職人員而可直接或間接按照或參照公務員薪級表或廉署人員薪級表的調整而調整的津貼款額。

#### 第 4 部 — 一般條文及廢除

11. 草案第 11 條規定，本條例草案並不禁止或影響在實施日期或之後，對須支付予公職人員的薪酬或津貼款額作出其他調整，亦不禁止或影響自實施日期或任何較後日期起生效的該等其他調整，而就審計署署長而言，包括根據《核數條例》(第 122 章)第 4A 條作出的命令。

12. 草案第 12 條更改公職人員的僱傭合約，致使該等合約明示授權藉本條例草案所作出的調整。

13. 草案第 13 條廢除已失時效的《公職人員薪酬調整條例》(第 574 章)及《公職人員薪酬調整(2004 年/2005 年)條例》(第 580 章)。



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本會檔號：(152) in 2/7/CCSA(XVIII)

傳真及呈遞

香港特別行政區政府  
公務員事務局局長  
俞宗怡女士：

### 行政會議有關 2009/10 年度公務員薪酬調整建議事

2009 年 6 月 16 日，行政長官會同行政會議已就 2009/10 年度公務員薪酬調整向各中央評議會職方建議：高層公務員減薪 5.38%、中低層凍薪。對此，本會有如下意見，望貴局準確、全面反映予最高當局。

#### (1) 贊同中低層公務員凍薪

本會贊同政府凍結低層和中層公務員的薪酬。事實上根據本會的計算，在剔除有問題的 L080 公司的數據後，薪酬趨勢純指標(Net PTI)，低層只為 -0.04%、中層+ 0.19%。再考慮到其他各項因素後，凍薪的建議合情合理。

#### (2) 認同公務員應與市民共渡時艱

行政長官在宣佈問責團隊自願減薪時指出，「金融海嘯發生以來，香港經濟大受影響。大家都受到減薪、削花紅，甚至裁員影響」，「近期經濟數據雖有漸趨穩定的跡象，但外圍整體經濟基調未見顯著改善，加上受到人類豬型流感威脅，經濟前景仍然充滿挑戰。在此情況下，除了政府一直積極推動的刺激經濟、帶動就業的措施之外」，「希望體現到問責團隊在這個經濟低迷時間，願意與市民共渡時艱」。

本會認同行政長官的分析，在 6 月 9 日給您的信中，亦表達過類似的意見，並指出今明兩年，公務人員與市民共渡時艱、衷誠合作、共克危機仍十分必要。

今天，有鑑經濟狀況仍然嚴峻，本會仍持同樣的觀點。

事實上，本會認為，公務員隊伍對社會應有歸屬感和承擔。為協助建立一支這樣的隊伍，本會早已將之作為一項使命並載入本會的會章；又身體力行，既極力推動構築官職/管職雙方商量解決問題的夥伴合作型新公務員文化、新員工關係，又大力鼓吹公務員與社會各界「同坐一條船，攜手創新路」的觀點。

在有關公務員薪酬調整問題上，本會始終秉持對會員、公務員同事、政府和社會高度負責任的態度作出處理。本會一向認為，容許公務員分享及分擔經濟的升跌 (to allow civil servants to share the ups and downs of the economy) 為應有之義，需要時，公務員順應民意，展示願與市民共渡時艱之心，並無不合理之處。本會從未反對過在合情合理合法的情況下減薪。

2003 年初，正是由於本會提出的「0-3-3」減薪方案，獲政府最高層接納，從而成功爭取官職雙方達成歷史性減薪協議，為一舉解決困擾整個社會的嚴重爭議，有利社會及政府應對 SARS 的襲擊及經濟衰退等帶來的挑戰，作出了貢獻。

#### (3) 今年公務員薪酬調整問題異常複雜

然而，公務員薪酬調整問題向來十分複雜，牽連甚廣，更在社會泛政治化下，有越來越泛政治化之虞，不易理性處理，今年尤甚。正是因為有此擔憂，本着希望今年有關問題

能在較小震盪、較少後遺症的情況下早些較順利解決，亦為表公務員願與市民共渡時艱之誠之切，本會在今年4月(其時薪酬趨勢調查結果尚未揭曉)，向您正式建議立即凍結2009/10年度公務員薪酬調整。遺憾的是，您不允“打破常規，特事特辦”，只按“既定的機制”辦事，錯失較穩妥處理複雜問題的機會！部份傳媒及公務員團體則忽視了本會希望傳遞的正面訊息，誤解或甚至曲解了本會的善意。

令今年的問題更加複雜的是：薪酬趨勢調查委員會對本屬純技術性問題作了錯誤處理，毫不理會涉及具極大比重的L080公司的問題數據，因未能符合既定調查準則，不但扭曲了2008/09年度的薪酬趨勢調查結果(高層純指標的差異為-2.18%與-5.38%之比，有-3.2%之大)，還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；更甚的是，它不但有錯不改，更偏離了35年以來行之有效的慣例，無視嚴重爭議，玩弄“少數服從多數”的手法，強行確認薪酬趨勢調查報告，又不向社會交代“不同意見”，平添了亂局，也淪委員會委員為橡皮圖章，留下了不容忽視的後遺症。

令人遺憾的還有，儘管今年面對的公務員薪酬調整問題異常複雜，貴公務員事務局由始至終，並無任何主其事者主動探究嚴重爭議的問題所在，並無與職方進行溝通商議，以謀求較穩妥處理的辦法，以致問題越來越複雜化、政治化、白熱化。

由於社會上，包括許多傳媒、論者，甚至於有公務員團體自己，對有關機制，包括每年一度的薪酬趨勢調查制度，並不真正了解，誤解者極眾，部份在既有成見下，拒絕深入了解，從而窒礙了社會的理性探討，令問題更複雜。

#### (4) 本會擔心02年立法減薪亂局歷史重演


本會十分擔心2002年立法減薪的亂局，有可能歷史重演。有鑑此次政府考慮今年度高層公務員薪酬調整時參照的薪酬趨勢純指標-5.38%，並非是薪酬趨勢調查委員會一致共識下所確認(本會曾於6月9日建議政府不應以之作為參照因素)，據此減薪極易受到法律挑戰。本會擔心立法減薪過程恐不會順利，爭拗持續不停下，公務員及社會對立恐將加劇，公務員隊伍的士氣和穩定恐將存疑！據本會了解，高層公務員同事對目前高壓態勢下減薪的抵觸情緒，已開始有上升趨勢，獲凍薪的中低層公務員同事中，不滿當局處理手法的也越來越多。

這次，您在6月16日下午通知評議會職方時表明，“根據既定的機制，行政長官會同行政會議會在考慮職方代表對薪酬調整方案的回應後作出最終決定”。然而，貴局卻急不及待地在同時向職方發信，不再等候職方的回應及行政長官的最終決定，訂定6月18日召開會議，討論減薪條例草案，以“落實”減薪。貴局此舉有既不尊重職方，又陷行政長官會同行政會議不義之嫌，有損既定機制的公信力。

#### (5) 宜採較穩妥做法 盡量減少負面影響及後遺症

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，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，為盡量減少帶給公務員隊伍的負面影響及後遺症，為大局及長遠着想，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。本會期待貴局及最高當局能因應公務員薪酬調整問題的複雜性，重新作通盤、全面的考慮。

會長



謹啓

2009年6月18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,

17 June 2009

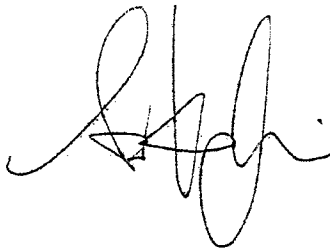
**2009-2010 Civil Service Pay Adjustment**

Thank you for your letter of 16 June on the pay offers made by the Chief Executive-in-Council. We consider that the adjustment of -5.38% to the upper band unreasonable and unacceptable for the following reasons:

- (a) Inflation during the period in question was +2.47%.
- (b) The deferred Grade Structure Reviews for Directorate Grade Officers and the two civilian grades recommended equivalent pay increases of about 3 to 5%.
- (c) The pay adjustment mechanism is supposed to take into account of a number of factors, including civil service morale, not just the pay trend indicator.
- (d) The discrepancy in the proposed treatment for the lower and middle bands, and the upper band is discriminating and divisive.
- (e) The proposed rate of pay reduction for the upper band is the highest in living record.

Taking all these factors into account, we reiterate that an equitable and reasonable pay adjustment for all the three bands should be a pay freeze.

Yours sincerely,



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



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

(English version only)

(只附英文版)

**Hong Kong Senior Government  
Officers Association**  
G13, 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,

18 June 2009

**2009-2010 Civil Service Pay Adjustment**

Further to the joint response of our Association and the Association of Expatriate Civil Servants of Hong Kong to the pay offers dated 17.6.2009, and without prejudice to our proposed pay freeze for all the three bands, the Hong Kong Senior Government Officers Association would like to highlight that the living hardship of those officers in the upper band with pay points from MPS Pt. 34 to 44 should not be ignored and must be taken care of, in particular, under the undesirable pay cut situation. We would like to urge you to convey the following facts about this group of officers to the Chief Executive-in-Council for their careful consideration:

- (a) These officers are usually in the age range of 30 to 40. Most of them have just had their own families and need to face a lot of family and financial burdens and work pressure.
- (b) Their pay levels are not much higher than those in the middle band.

In case the Chief Executive-in-Council does not accept the proposal of pay freeze for directorate grade and upper band officers, we sincerely hope that the Chief Executive-in-Council would take into account of the above facts and also make a pay offer of pay freeze to those officers with pay points from MPS Pt. 34 to 44, which, I think, would be acceptable to the public.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SO Ping-chi', written in a cursive style.

( SO Ping-chi )

Chairman

Hong Kong Senior Government  
Officers Association



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

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POLICE FORCE COUNCIL

STAFF ASSOCIATIONS

39/F, ARSENAL HOUSE

POLICE HEADQUARTERS

1 ARSENAL STREET HONG KONG

附件 C

協會檔號 OUR REF: ( 17) in SS/C 1/12 Pt.13

來件編號 YOUR REF:

17<sup>th</sup> 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

We refer to your letter of 16<sup>th</sup> June, advising us of the CE-in-Council's decision to offer lower and middle salary bands a pay freeze and those in the upper band a salary cut of 5.38%. A wave of extreme anger and disappointment swept across the Hong Kong Police on the afternoon of Tuesday 16<sup>th</sup> June 2009, as officers learned of the these proposals. Much of the anger centres around the fact that you refer to an "established mechanism" when in fact you and the CE have deviated from that mechanism in accepting the findings of a tainted PTS upon which to base the offer.

Our patience is being tested and we exercise restraint and caution. We would like to work the issues through in a rational and business like manner but frankly this can only be achieved if there is a change in attitude on your part, to provide some genuine sensitivity and time to explore our views.

We ask for a proper and careful review the 2009 Pay Trend Survey, the exclusion of companies L080 and L057 and for us to be provided with a clearer outline of the Administration's views and timeframe for the Grade Structure Review (GSR). We need to know how the GSR integrates with the prospective date of the Pay Trend Survey to avoid further damaging relations.

It appears that the decision of CE in Council and the 2009 Pay Offer has become part of the politicization of the process, with a focus on senior officials pay, to assure support in the community for the CE's political base in the lead up to July 1<sup>st</sup> and meet the demands of the business interests that guide Hong Kong. We realize we are being asked to '**stand together with the public at difficult time**', to support the CE and Hong Kong and make difficult sacrifices in our remuneration. This is a hard choice when we have stood by Hong Kong patiently, apparently disrespected whilst waiting for what has been promised but remained unrealized for so long. We have been asked to accept an open-ended and vague statement on the further deferment of the Grade Structure Review, a review that has been outstanding for too many years.

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

Whilst many in our community have enjoyed relative prosperity and a general improvement in the quality of their life from 2004 to 2008, the situation for Police has been eroded year on year since 1997 and we have endured three pay cuts (possibly 4 now) and two pay freezes. Colleagues are openly stating that '**Enough is enough**' and a pay cut by legislation is not something that should be entered into or accepted by the Police at this time.

As police officers we seek fairness and openness in our dealings, a level playing field and strict implementation of established mechanisms. We have raised issues with this year's PTS because of a failure of the mechanism, not because the figures have shown a negative result. There must be a way to arbitrate our dispute rationally rather than being ignored. Our members feel the process is being stage-managed by the Administration and by the Secretary for the Civil Service and that we as individuals can either resign ourselves to this fact or stand by our principles and justify the unique responsibilities and difficulties of the Police Force in the full glare of the public. Without integrity everything else is flawed.

Our members feel this Pay "Offer" has been reached without proper regard and emphasis on the seriousness and a real understanding of the poor situation of morale in the Police, the uncertainty over the Grade Structure Review since the report published on **27th November 2008** and our genuine concerns on the manipulation and abuse of process that took place within the Pay Trend Survey and Pay Trend Survey Committee in 2009. There is no sensitivity to openly discuss or even explore our concerns on the inclusion of two companies L080 and L057 in 2009 Pay Trend Survey. Failing to respect the opinions of the Police on these issues signals a difficult and uncertain period for our organisation within the Civil Service. There is no sign of sincerity by this Administration in working in a proper consultative framework with the Police Staff Side. We continue to live in hope of a turnaround.

In addition, the fact is that submissions on the Grade Structure Review from both the Commissioner of Police and Staff Side and the personal intervention and letter from Commissioner of Police, dated 5<sup>th</sup> June 2009 to you as Secretary for the Civil Service on the Grade Structure Review have not been respected or acted upon with any sincerity to engage us and provide your views is most worrying.

We have expressed views on the 2009 Pay Adjustment for Police officers in the Pay Claim Letter (10) in SS/C 1/12 Pt.13, dated 11<sup>th</sup> June 2009 and this submission is included in a briefing paper to LegCo CSBCR/PG/4-085-001/62 dated 16<sup>th</sup> June 2009. However, we have grave concerns in the way the process for the PTS is being represented, or "misrepresented", to the CE in Council and LegCo. We are in the process of writing to Executive Councillors and Legislators to ask them to critically examine the information they are provided by the Administration.

Again today, we are asked to submit to an unreasonable request to provide our response to the pay offer from CE in Council, less than 24 hours after a controversial and clearly politically motivated announcement on the pay of political appointees. There needs to be clear differentiation on the decision and process for payments of salaries for political assistants and others appointees earning above HK\$134,000 dollars and the upper band employees in the civil service, many of whom are actually working at only the 'median level to private sector pay'.

Although we refer to Upper band I and Upper band II in the civil service we should all recognize the distinction where Upper band I have a more modest pay range from HK\$48,401 to HK\$77,675, falling well short of any such appointees. These are mainly staff in the Inspectorate frontline command.

We are not in agreement with some other staff associations and unions and as a matter of principle do not accept any return to ad-hoc decision making on salaries. There is unfairness to employees and the public when 'behind the scenes' deals are struck for pay freezes. We see this as a serious departure and about face from the improved mechanism of Civil Service Pay adjustment, a mechanism that was only introduced in 2007.

This approach and the way you treat the Staff Side damages the relations we should have with you as Secretary for the Civil Service. We have been called to meet with you tomorrow to be informed of the contents of a bill to implement the pay cut through legislation. Quite frankly this meeting, planned ahead of our submission of these comments on the pay offer, further demonstrates a complete lack of empathy and interest in listening or honestly handling any of our views.

We have a duty to represent our members the 27,000 men and women of the Hong Kong Police to place our comments on record and we request that these be reproduced in full in any submissions on Police Pay to the CE in Council, Legislators, business and various community groups. We can only continue to serve with dedication in the hope there is mutual respect for transparency, disclosure and full exploration of issues. For the sake of clarity we now have the following points to make on the pay offer made by CE in Council on 16<sup>th</sup> June 2009 that need to be resolved.

(a) We would view this pay offer as a serious departure from the improved mechanism on pay endorsed by the CE-in-Council in 2007 and as a politicization of the pay adjustment mechanism, which we cannot accept. Assurances that there would be no impact or 'carry forward' of any pay offer against future adjustments are noted and supported as a clear matter of principle;

(b) It would be improper for CE in Council to make a pay offer based upon the tainted 2009 PTS results. There are **119** surveyed companies with both positive and negative results that can be reliably found to fit the methodology of the PTS, which needs to exclude two companies L080 and L057. **We in the Police can only accept the validity of Gross PTI results with an increase of +0.75% for the lower band, +0.83% for the middle band and - 1.59% for the upper band;**

(c) We seek application of Gross Pay Trend Indicators without the practice of the Administration for deduction of increment cost for the Police, given that 75% of the Hong Kong Police Force is not receiving any annual increment whilst the Grade Structure Review is outstanding. We would also note that the percentage of each increment for our frontline junior officers consistently lags behind the general grades by several percent;

- (d) The Police role in Hong Kong is unique and the Police are facing a series of challenges in 2009, so the Staff Side would therefore object to any mechanism for a pay cut by legislation. In the event of a pay cut being implemented on the civil service, this **should not** be applied to the Police. CSB should carefully enter into **proper negotiation** with the staff side and first consider the impact on the efficiency and morale of frontline Police commanders and particularly the mid career Inspectorate who direct the day-to-day operations and prosecutions in each Police District of Hong Kong;
- (e) 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 26<sup>th</sup> February 2009;
- (f) The proposals in PFC SS GSR Paper 2 / PPS should be implemented in full **prior to** application of the PTS results (119 endorsed companies);
- (g) The recommendations on the GSR as above should be implemented as soon as possible and back-dated to the date of the GSR report, 27<sup>th</sup> November 2008, in accordance with the established practice; and
- (h) Low Morale is a now serious issue in the police force and most officers are despondent with the Administration's procrastination over implementation of the Grade Structure Review 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.

Your actions make us believe that the improved pay mechanism that was only approved by CE in Council in 2007 is now at risk of being irreparably damaged and we worry that it is in effect already 'dead in the water'. This year's approach in the Pay Adjustment and your failure to meet a pledge to put forward recommendations on the GSR by mid-year is unacceptable. This action with the deferment of the Grade Structure Review has caused so much concern and the lowest morale situation within all ranks of the Hong Kong Police this decade. We urge you to refrain from enacting legislation that will damage irreparably the relationship between the Police staff side and the Administration.

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.  
ExCo Members  
LegCo Members  
Commissioner of Police  
Chairman LegCo panel on Public Service  
SF(1) in SS/C 1/12, SF(8) in SS/C 1/12

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來件編號 YOUR REF:

香港

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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**

你於 6 月 16 日的來函收悉。信中講述行政長官會同行政會議有關低層和中層級別凍薪，而高層級別減薪 5.38% 的決定。2009 年 6 月 16 日(星期二)下午，當人員獲悉這些建議時，警隊上下極度憤怒和失望。人員的憤怒主要涉及你提到的「既定機制」，而事實上你和行政長官均已偏離了該機制的事實。你們不但接納有問題的薪酬趨勢調查結果，還據此提供薪酬建議。

我們的忍耐正接受考驗，我們已表現克制和謹慎。我們也希望能保持理性並以有條理的方式來處理有關問題，但坦然只有局方改變態度，表現出一點真正的關心，並花時間去研究我們的意見，我們才可以做到這一點。

我們要求當局適當和仔細檢討 2009 年薪酬趨勢調查，剔除公司 L80 和 L057，以及提供一個更清晰的大綱，說明當局對職系架構檢討的意見和訂立時間表。我們須要知道職系架構檢討如何與薪酬趨勢調查的預計日期互相配合，以免進一步損害關係。

看來，行政長官會同行政會議的決定和 2009 年的薪酬建議已成為程序政治化的一部分，並把焦點放於高級公務員的薪酬之上，以確保市民支持行政長官的政治基地，以便度過 7 月 1 日，以及滿足一直

影響香港的商業利益需要。我們明白當局要求我們「與市民共度時艱」，支持行政長官和香港，以及在我們的薪酬方面作出令人為難的犧牲。這是一個令人難受的選擇，因為我們一直忍耐地支持香港，但顯然我們在等候當局所答允的事情期間沒有受到尊重，因為經過多時有關承諾仍未兌現。職系架構檢討已延誤了許多年。我們曾經被要求接受當局就進一步延遲職系架構檢討發表的可修訂和含糊不清的聲明。

在 2004 至 2008 年期間，許多市民曾享受相對的繁榮，而生活質素亦大致上獲得改善，但警隊的情況自 1997 年起便每況愈下，逐年變差。我們已經忍受了三次減薪(現在可能是第四次)和兩次凍薪。我們的同事已公開表示「要適可而止」。此時此刻，立法減薪並非警隊所能考慮或接受的安排。

身為警務人員，我們尋求公平、公開的交易、一個平坦的比賽場地和嚴格實施既定的機制。我們就今年的薪酬趨勢調查提出問題是因為有關機制的不足，而不是因為有關結果出現負數。我們的薪酬紛爭必定有方法以理性方式予以解決，而不應被忽略。我們的成員認為有關過程一直由當局和公務員事務局局長在幕後安排，以致我們作為個人只能逆來順受或在眾人怒目之下堅守原則，並證明警隊的獨特職責和面對的困難。沒有誠信的話，一切事情都會出現問題。

我們的成員認為當局在擬備今年的薪酬「建議」時，沒有適當考慮和重視警隊士氣低落的嚴重程度，或真正了解惡劣的情況；職系架構檢討報告書於 2008 年 11 月 27 日公布以來，人員對該項檢討的疑問，以及我們對 2009 年薪酬趨勢調查和薪酬趨勢調查委員會操控和濫用有關程序的真正關注。我們認為公開討論，甚至研究我們所關注有關把公司 L080 和 L057 納入 2009 年薪酬趨勢調查的問題並無任何敏感性。當局未能尊重警隊在這些事情上的意見，令警隊在公務員隊伍中處於困難和不明確的時期。當局並無任何誠意為警隊職方提供適當的諮詢架構，我們會繼續期望當局會改變態度。

此外，事實是當局沒有正視警務處處長和職方就職系架構檢討提交的意見書，以及處長的介入並於 2009 年 6 月 5 日就有關檢討向你(公務員事務局局長)發出的信函，或以真誠作出任何跟進行動來聯絡我們或提供你的意見。這種情況令人非常擔心。

2009年6月11日，我們曾在2009年警務人員薪酬調整 – 薪酬調整要求的函件〔(10) in SS/C 1/12 Pt.13〕中表達意見。該份意見書亦已夾附於2009年6月16日提交立法會的參考資料摘要(CSBCR/PG/4-085-001/62)中。不過，我們非常擔心當局向行政長官會同行政會議和立法會議員表述或「失實陳述」薪酬趨勢調查過程的方法。我們現正致函行政會議成員和立法會議員，促請他們審慎研究當局向他們提供的資料。

今日，在當局公布有關政府獲委任人士薪酬的具爭議和明顯充滿政治動機的消息後少於24小時內，我們再次被要求遵從行政長官會同行政會議就薪酬建議所作的無理要求並作出回應。當局必須清楚區分月薪超過134,000港元的政治助理及其他獲委任人士與公務員高層級別僱員的支薪決定和程序。公務員的高層級別僱員中，許多人員實際上只是領取「私營機構薪酬的中位數」。

雖然我們提到公務員中有高層級別 I 和 II 之分，但我們必須理解到有關分別，高層級別 I 的薪金幅度並不大，只是由48,401港元至77,675港元，遠較任何獲委任人士的薪酬為低。這些人士主要是前線的督察級指揮人員。

我們並不同意部分其他職方協會和工會的意見。原則上，我們不接受任何就薪金所作的特別決定。當「幕後」的交易是達成凍薪安排時，對所有僱員和市民並不公平。我們認為這項安排嚴重偏離和徹底改變當局僅於2007年推出的更完備公務員薪酬調整機制。

這個取向及你對待職方的方式損害了我們與你(公務員事務局局長)之間應有的關係。我們獲邀於明天與你會面，以獲悉有關立法減薪草案的內容。坦白說，當局這次在我們就薪酬建議提交意見書之前已計劃好的會面安排，進一步反映當局完全欠缺同情心，以及沒有興趣聽取或正當地處理我們的意見。

我們有責任代表香港警隊27 000名男女警務人員，把意見記錄在案。我們要求當局就警隊薪酬向行政長官會同行政會議、立法會議員、商界及各社區團體提交任何意見書時，完整地反映我們的上述意見。我們希望互相尊重有關事項的透明度、公開和進行全面探討，只有這樣，我們才可繼續竭誠盡心地為市民服務。為了清楚表達我們的



意見，我們現希望就行政長官會同行政會議於 2009 年 6 月 16 日作出的薪酬建議提出以下需予解決的問題。

- a) 我們認為這項薪酬建議嚴重偏離行政長官會同行政會議於 2007 年通過的更完備薪酬機制，以及把薪酬調整機制政治化，這是我們不能接受的。我們獲悉並支持當局作出的保證，即任何薪酬建議不會影響或「轉入」日後的調整，並視之為清晰的原則；
- b) 行政長官會同行政會議根據有問題的 2009 年薪酬趨勢調查結果提出薪酬建議是不妥當的。我們認為共有 119 間(必須剔除公司 L080 和 L057)經調查的公司(不論有關結果是正數或負數)符合薪酬趨勢調查方法，而且值得信賴。警隊只可接受的有效薪酬趨勢總指標為低層級別：+0.75%、中層級別：+0.83%、高層級別：-1.59%。
- c) 我們要求應用薪酬趨勢總指標，而無須跟隨當局扣減警隊增薪額的做法，因為現時在職系架構檢討未有進行之前，75% 的香港警隊成員沒有領取任何按年遞增薪額。我們亦知悉前線初級警務人員各個增薪點的比率持續較一般職系人員少數個百分點；
- d) 在香港，警隊的角色獨特。2009 年，警隊正面對一連串挑戰，因此職方將反對任何以立法減薪的任何機制。倘若公務員須減薪，有關安排也不應該應用在警隊之中。公務員事務局應審慎與職方進行適當談判，並首先考慮對前線警隊指揮官，特別是處於事業中期的督察級人員的效率和士氣的影響，因為他們負責指揮香港各個警區日常的行動和檢控工作；
- e) 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；
- f) 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)；
- g) 盡快落實上文所述的職系架構檢討建議，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

- h) 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。

你的行動令我們相信行政長官會同行政會議於 2007 年核准的更完備薪酬機制現正面臨被破壞而無可彌補的危機。我們擔心該機制已經停滯不前。今年當局對薪酬調整的取向，以及你未能履行承諾在今年年中就職系架構檢討提出建議，這是令人難以接受的。你這種行動，加上推遲進行職系架構檢討，已引起香港警隊的極大關注，同時亦令各級人員士氣跌至近十年來的最低點。我們促請你不要立法，以免損害警隊職方與當局之間的關係，達至無法修補的境地。

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

副本送：

行政長官辦公室  
政務司司長  
行政會議成員  
立法會議員  
警務處處長  
立法會公務員及資助機構員工事務委員會  
SF(1) in SS/C 1/12、SF(8) in SS/C 1/12

2009 年 6 月 17 日

Disciplined Services Consultative Council  
(Staff Side)

附件 D

本函檔號：SSDSCC/P-3  
來函檔號：CSBCR/PG/4-085-001/62

Room 139  
Central Government Offices  
East Wing  
Lower Albert Road  
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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

謝謝你在二零零九年六月十六日的來信。紀評(職方)有如下的意見：

- (a) 紀評(職方)歡迎政府凍結低層和中層薪金級別公務員的薪酬調整，有關決定正好展示政府在考慮過程中已顧及中低層公務員的士氣；
- (b) 政府在考慮公務員薪酬調整過程中既已顧及中低層公務員的士氣，按理不應忽視高層員工，按機制應對高層員工作出一視同仁的安排，若政府決定凍結低層和中層薪金級別公務員的薪金，理應全體各級公務員應一同凍薪。縱或不然而須調減高層公務員薪酬，為了顧及高層員工的士氣，政府亦應以公平的原則，在調整高層薪金級別時扣除被凍結的中層薪金級別的薪酬總指標(-1.34%)及高層薪金級別遞增薪點(0.59%)，亦即調減高層薪金級別的幅度應為 3.45%而不是 5.38%；及

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  
Aircrewman 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

香港消防處救護員會  
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

(c) 在整個薪酬趨勢調查過程中，紀評(職方)以客觀和務實理性的態度參與，並強調公務員薪酬調整必須根據現有行之有效的機制進行。在薪酬趨勢調查結果公布後，我們亦一再強調尊重機制，並願意在政府作出最後決定時，如須減薪，我們亦將接受。我們強調尊重機制，並願意與政府和市民共度時艱接受薪酬調整，政府更必須按機制，落實執行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



二零零九年六月十七日

(Chinese version only)

附件 E

(只附中文版)

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  
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香港中環下亞厘畢道二十號  
中區政府合署東座一二七室  
電話：二八一零二二零九  
傳真：二五三七八六二零

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

多謝你在二零零九年六月十六日的來信。本會職方八個成員工會中，下列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，表示會尊重薪酬調整機制，並接納有關低層薪金級別的調薪方案。

第一標準薪級公務員評議會  
職方主席



二零零九年六月十七日

## 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: (31) IN SS/C 1/12 Pt.13

來件編號 YOUR REF:

19<sup>th</sup> June 2009

The Honourable Denise YUE Chung-ye, GBS, JP  
Civil Service Bureau  
Room 1024B, West Wing  
Central Government Offices  
Hong Kong  
Executive Councillor

Dear Executive Councillor,

We write to you as a respected Councillor to ask you and your colleagues to critically examine the information and the views expressed in the attached letters at Annex 'A' and 'B' which are respectively our 'pay claim' and 'response' to the Chief Executive-in-Council regarding his 2009 pay offer dated the 16<sup>th</sup> June 2009 for Police officers.

Although our Pay Claim Letter [Reference: (10) in SS/C 1/12 Pt.13, dated 10<sup>th</sup> June 2009] is included in a briefing paper to LegCo [CSBCR/PG/4-085-001/62 dated 16<sup>th</sup> June 2009] we have grave concerns in the way the process for the Pay Trend Survey (PTS) is being represented, and we believe misrepresented, to CE in Council and LegCo. Therefore we would like to respectfully highlight the following issues to you;

- The LegCo briefing paper does not satisfactorily mention how the Grade Structure Review for the Police integrates with and will form part of the Civil Service Pay Mechanism now or in the future. We have been patiently awaiting this GSR for twenty years.(Paragraph 3)
- The paper does not properly outline the conduct of this years' PTS and the 'different views' clearly expressed. There was a split decision where four out of ten staff representatives (representing over 100,000 members of the 165,000 strong civil service) could not validate two companies' data as they violated the stated survey methodology and proper agreements for inclusion (namely companies L080 and L057). A further two members contravened their role on the PTSC on the 8<sup>th</sup> June with one stating he had reservations on the company L080 and the other stating the data on company L080 was ambiguous but both still proceeded to validate results retaining this tainted data. (Paragraph 8)
- The lack of supporting minutes from the Pay Trend Survey Committee (PTSC) meeting of 8<sup>th</sup> June that would explain the split decision and the fact there is no mechanism to allow for a majority endorsement of the PTS tentative results that have yet to be produced by the Pay Survey Research Unit (PSRU). The long established and correct precedent for excluding companies where concerns are raised has not been followed in 2009. The minutes were not available by the 16 June 2009, the date of the CE in Council's decision of this pay offer and are still not available to members of

PTSC. There is unreasonableness and lack of due process. This is now seen as a political action with staff 'railroaded' and 'manipulated'. (Paragraph 8)

- The failure to provide information on the Police Staff Side concerns us when there is a negative adjustment and for officers who have been on maximum increment for a number of years, indeed 75% of the Police Force is already on maximum increment. (Paragraph 9)
- The lack of information on the change in the CPI index [reference to the recent paper - Legislative Council Brief on Pension Increase 2009, Ref. CSBCR/AP/4-075-005/5 Pt.12] in which civil service pensions are to be increased by 2.5%. (Paragraph 13)
- The lack of information on the background to other staff side requests for pay freezes. We are not in agreement with some other staff associations and unions and as a matter of principle do not accept any return to ad-hoc decision making on Police salaries. There is unfairness in the system and to employees and the public when 'behind the scenes' deals are sought for councils to submit claims for pay freezes. We see this as a serious departure and about face from the improved mechanism of Civil Service Pay that was only introduced in 2007 to enable strict applicability of upwards and downwards movement in pay. Our pay claim stands out as the only one willing to maintain strict applicability and due respect of process. (Paragraph 15)
- The lack of detail on the state of low morale and the ongoing Pay Dispute the Police have with the administration. There is no mention of independent Survey reports on police morale conducted in 2004 and 2007, submissions made by both the Commissioner and Staff Side on low morale as part of the Grade Structure Review and reporting to the Administration on concerns on Police pay. The issue of morale is a major issue that is inadequately covered. (Paragraph 16)
- There is inadequate explanation of the reasoning for deferment to the Grade Structure Review, a process started well ahead of the 2009 Pay trend survey, which has been subject of procrastination by the Administration. There is a breakdown in genuine consultation with Police Staff due to the inaction of the Secretary for the Civil Service. (Paragraph 16)
- The divergence by the CE in Council from PTS results is a bad precedent that came before the improved mechanism on Civil Service Salaries in 2007. Such return to ad-hoc arrangements should be rejected and there is no justification to corrupt a process that has been endorsed by the Standing Commission on Civil Salaries and indeed the CE-in-Council. (Paragraph 19)
- The implementation of a pay cut by legislation and the mechanism that applies a pay freeze to two salary bands and a negative adjustment to one salary band is seen as an arbitrary change that affects the established relativities of the Police Pay Scale as it is one that is not acceptable to staff. The change of relativities is not explained in the LegCo briefing paper. (Paragraph 22)

We have yet to be provided proper disclosure of information on the 2008 and 2009 Pay Trend Survey and now call for your support in proper airing and examination of the issues raised above. Whilst we have agreed 119 companies, many of whom have negative adjustments and are the only staff council to recognize a three band adjustment of positive

and negative indicators we have yet to be given access to information on the detail of the exclusion of 20 companies and their year on year comparison of data in accordance with Paragraph 11 a (iii) and (d) of the Pay Trend Survey methodology.

We would welcome the opportunity to meet with you and explain our concerns. We are preparing to air our views in the Legislative Council, through some form of Arbitration, a Committee of Inquiry and a judicial review, as necessary.

We have written separately to the CE in Council calling upon him to establish a Committee of Enquiry into the conduct of the 2009 Pay Trend Survey.

The Police Staff Side reserves the right to exercise our basic rights and freedoms in seeking both Judicial and others remedies including individual rights of assembly and free speech in raising our concerns on these issues with the community at large.

We look forward to meeting with you soon.

Yours faithfully,

<u>signed</u> SHAM Wai-kin Chairman SPA	<u>signed</u> LIU Kit-ming Chairman HKPLA	<u>signed</u> David WILLIAMS Chairman OIA	<u>signed</u> CHUNG Kam-wa Chairman JPOA
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Police Force Council  
Staff Side

Encl.



警察評議會職方協會

香港軍器廠街一號警察總部

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POLICE FORCE COUNCIL

STAFF ASSOCIATIONS

39/F, ARSENAL HOUSE

POLICE HEADQUARTERS

1 ARSENAL STREET HONG KONG

協會編號 OUR REF: (10) in SS/C 1/12 Pt.13

來件編號 YOUR REF:

11<sup>th</sup> 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 8<sup>th</sup> June 2009, declining our request for an extension of the pay claim deadline until 22<sup>nd</sup> 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 27<sup>th</sup> 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

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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 23<sup>rd</sup> 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 75<sup>th</sup> Meeting of the PTSC on 8<sup>th</sup> 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 29<sup>th</sup> May, namely an increase of +0.75% for the lower band, +0.83% for the middle band and -1.59% for the upper band.

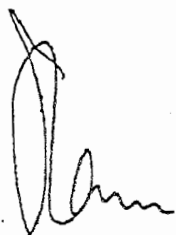
The PFC SS seeks application of Gross Pay Trend Indicators without the practice of the Administration for deduction of increment cost, given that 75% of the Hong Kong Police Force is not receiving any annual increment, and subject to the following considerations:-

- (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 26<sup>th</sup> 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, 27<sup>th</sup> 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.

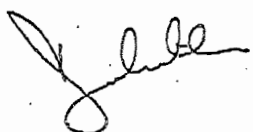
Yours sincerely,



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

Annex 'A'2009 Pay Trend Survey

At the meeting of the PTSC on 8<sup>th</sup> 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 74<sup>th</sup> 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 75<sup>th</sup> 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 4<sup>th</sup> 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 14<sup>th</sup> May, 10<sup>th</sup> October 2008 and 7<sup>th</sup> 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.

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協會編號 OUR REF: (17) in SS/C 1/12 PL13

來件編號 YOUR REF:

17<sup>th</sup> 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

We refer to your letter of 16<sup>th</sup> June, advising us of the CE-in-Council's decision to offer lower and middle salary bands a pay freeze and those in the upper band a salary cut of 5.38%. A wave of extreme anger and disappointment swept across the Hong Kong Police on the afternoon of Tuesday 16<sup>th</sup> June 2009, as officers learned of the these proposals. Much of the anger centres around the fact that you refer to an "established mechanism" when in fact you and the CE have deviated from that mechanism in accepting the findings of a tainted PTS upon which to base the offer.

Our patience is being tested and we exercise restraint and caution. We would like to work the issues through in a rational and business like manner but frankly this can only be achieved if there is a change in attitude on your part, to provide some genuine sensitivity and time to explore our views.

We ask for a proper and careful review the 2009 Pay Trend Survey, the exclusion of companies L080 and L057 and for us to be provided with a clearer outline of the Administration's views and timeframe for the Grade Structure Review (GSR). We need to know how the GSR integrates with the prospective date of the Pay Trend Survey to avoid further damaging relations.

It appears that the decision of CE in Council and the 2009 Pay Offer has become part of the politicization of the process, with a focus on senior officials pay, to assure support in the community for the CE's political base in the lead up to July 1<sup>st</sup> and meet the demands of the business interests that guide Hong Kong. We realize we are being asked to 'stand together with the public at difficult time', to support the CE and Hong Kong and make difficult sacrifices in our remuneration. This is a hard choice when we have stood by Hong Kong patiently, apparently disrespected whilst waiting for what has been promised but remained unrealized for so long. We have been asked to accept an open-ended and vague statement on the further deferment of the Grade Structure Review, a review that has been outstanding for too many years.

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警察員佐級協會

Whilst many in our community have enjoyed relative prosperity and a general improvement in the quality of their life from 2004 to 2008, the situation for Police has been eroded year on year since 1997 and we have endured three pay cuts (possibly 4 now) and two pay freezes. Colleagues are openly stating that 'Enough is enough' and a pay cut by legislation is not something that should be entered into or accepted by the Police at this time.

As police officers we seek fairness and openness in our dealings, a level playing field and strict implementation of established mechanisms. We have raised issues with this year's PTS because of a failure of the mechanism, not because the figures have shown a negative result. There must be a way to arbitrate our dispute rationally rather than being ignored. Our members feel the process is being stage-managed by the Administration and by the Secretary for the Civil Service and that we as individuals can either resign ourselves to this fact or stand by our principles and justify the unique responsibilities and difficulties of the Police Force in the full glare of the public. Without integrity everything else is flawed.

Our members feel this Pay "Offer" has been reached without proper regard and emphasis on the seriousness and a real understanding of the poor situation of morale in the Police, the uncertainty over the Grade Structure Review since the report published on 27<sup>th</sup> November 2008 and our genuine concerns on the manipulation and abuse of process that took place within the Pay Trend Survey and Pay Trend Survey Committee in 2009. There is no sensitivity to openly discuss or even explore our concerns on the inclusion of two companies L080 and L057 in 2009 Pay Trend Survey. Failing to respect the opinions of the Police on these issues signals a difficult and uncertain period for our organisation within the Civil Service. There is no sign of sincerity by this Administration in working in a proper consultative framework with the Police Staff Side. We continue to live in hope of a turnaround.

In addition, the fact is that submissions on the Grade Structure Review from both the Commissioner of Police and Staff Side and the personal intervention and letter from Commissioner of Police, dated 5<sup>th</sup> June 2009 to you as Secretary for the Civil Service on the Grade Structure Review have not been respected or acted upon with any sincerity to engage us and provide your views is most worrying.

We have expressed views on the 2009 Pay Adjustment for Police officers in the Pay Claim Letter (10) in SS/C 1/12 Pt.13, dated 11<sup>th</sup> June 2009 and this submission is included in a briefing paper to LegCo CSBCR/PG/4-085-001/62 dated 16<sup>th</sup> June 2009. However, we have grave concerns in the way the process for the PTS is being represented, or "misrepresented", to the CE in Council and LegCo. We are in the process of writing to Executive Councillors and Legislators to ask them to critically examine the information they are provided by the Administration.

Again today, we are asked to submit to an unreasonable request to provide our response to the pay offer from CE in Council, less than 24 hours after a controversial and clearly politically motivated announcement on the pay of political appointees. There needs to be clear differentiation on the decision and process for payments of salaries for political assistants and others appointees earning above HK\$134,000 dollars and the upper band employees in the civil service, many of whom are actually working at only the 'median level to private sector pay'.

Although we refer to Upper band I and Upper band II in the civil service we should all recognize the distinction where Upper band I have a more modest pay range from HK\$48,401 to HK\$77,675, falling well short of any such appointees. These are mainly staff in the Inspectorate frontline command.

We are not in agreement with some other staff associations and unions and as a matter of principle do not accept any return to ad-hoc decision making on salaries. There is unfairness to employees and the public when 'behind the scenes' deals are struck for pay freezes. We see this as a serious departure and about face from the improved mechanism of Civil Service Pay adjustment, a mechanism that was only introduced in 2007.

This approach and the way you treat the Staff Side damages the relations we should have with you as Secretary for the Civil Service. We have been called to meet with you tomorrow to be informed of the contents of a bill to implement the pay cut through legislation. Quite frankly this meeting, planned ahead of our submission of these comments on the pay offer, further demonstrates a complete lack of empathy and interest in listening or honestly handling any of our views.

We have a duty to represent our members the 27,000 men and women of the Hong Kong Police to place our comments on record and we request that these be reproduced in full in any submissions on Police Pay to the CE in Council, Legislators, business and various community groups. We can only continue to serve with dedication in the hope there is mutual respect for transparency, disclosure and full exploration of issues. For the sake of clarity we now have the following points to make on the pay offer made by CE in Council on 16<sup>th</sup> June 2009 that need to be resolved.

(a) We would view this pay offer as a serious departure from the improved mechanism on pay endorsed by the CE-in-Council in 2007 and as a politicization of the pay adjustment mechanism, which we cannot accept. Assurances that there would be no impact or 'carry forward' of any pay offer against future adjustments are noted and supported as a clear matter of principle;

(b) It would be improper for CE in Council to make a pay offer based upon the tainted 2009 PTS results. There are 119 surveyed companies with both positive and negative results that can be reliably found to fit the methodology of the PTS, which needs to exclude two companies L080 and L057. We in the Police can only accept the validity of Gross PTI results with an increase of +0.75% for the lower band, +0.83% for the middle band and - 1.59% for the upper band;

(c) We seek application of Gross Pay Trend Indicators without the practice of the Administration for deduction of increment cost for the Police, given that 75% of the Hong Kong Police Force is not receiving any annual increment whilst the Grade Structure Review is outstanding. We would also note that the percentage of each increment for our frontline junior officers consistently lags behind the general grades by several percent;



(d) The Police role in Hong Kong is unique and the Police are facing a series of challenges in 2009, so the Staff Side would therefore object to any mechanism for a pay cut by legislation. In the event of a pay cut being implemented on the civil service, this should not be applied to the Police. CSB should carefully enter into proper negotiation with the staff side and first consider the impact on the efficiency and morale of frontline Police commanders and particularly the mid career Inspectorate who direct the day-to-day operations and prosecutions in each Police District of Hong Kong;

(e) 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 26<sup>th</sup> February 2009;

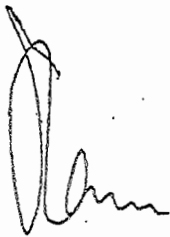
(f) The proposals in PFC SS GSR Paper 2 / PPS should be implemented in full prior to application of the PTS results (119 endorsed companies);

(g) The recommendations on the GSR as above should be implemented as soon as possible and back-dated to the date of the GSR report, 27<sup>th</sup> November 2008, in accordance with the established practice; and

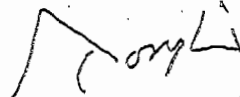
(h) Low Morale is a now serious issue in the police force and most officers are despondent with the Administration's procrastination over implementation of the Grade Structure Review recommendations. The bond of trust between police officers and the Administration is now broken and PFC SS representatives are facing increasing calls for more radical and high profile action in respect of pay.

Your actions make us believe that the improved pay mechanism that was only approved by CE in Council in 2007 is now at risk of being irreparably damaged and we worry that it is in effect already 'dead in the water'. This year's approach in the Pay Adjustment and your failure to meet a pledge to put forward recommendations on the GSR by mid-year is unacceptable. This action with the deferment of the Grade Structure Review has caused so much concern and the lowest morale situation within all ranks of the Hong Kong Police this decade. We urge you to refrain from enacting legislation that will damage irreparably the relationship between the Police staff side and the Administration.

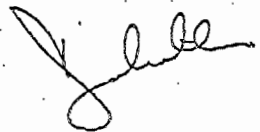
Yours sincerely,



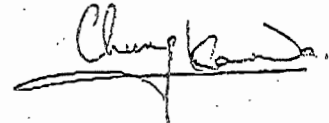
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c.c.

Office of the Chief Executive  
Chief Secretary for the Administration.

ExCo Members

LegCo Members

Commissioner of Police

Chairman LegCo panel on Public Service

SF(1) in SS/C 1/12, SF(8) in SS/C 1/12

(中譯本)

警察評議會職方協會  
香港軍器廠街一號警察總部  
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POLICE HEADQUARTERS  
1 ARSENAL STREET HONG KONG

協會編號 OUR REF: (31) in SS/C 1/12 Pt.13

來件編號 YOUR REF:

行政會議成員  
俞宗怡女士, GBS, JP 公務員事務局局長

尊貴的行政會議成員：

本函旨在請你和你的同事審慎研究附件「A」和附件「B」所載信件中所提供的資料和意見。該兩封信件分別是我們的「薪酬調整要求」和就行政長官會同行政會議於2009年6月16日提出2009年警務人員薪酬建議的「回應」。

雖然我們2009年6月10日的薪酬調整要求信件〔(10) in SS/C 1/12 Pt.13〕已夾附於2009年6月16日立法會的參考資料摘要(CSB CR/PG/4-085-001/62)中，但我們深切關注到當局向行政長官會同行政會議和立法會陳述薪酬趨勢調查過程的方法，我們相信過程中有歪曲事實的情況。因此，我們希望重點講述以下事項：

- 立法會參考資料摘要沒有以令人滿意的方式講述警隊職系架構檢討在現時或將來如何與公務員薪酬機制合併，並成為其中一部分。我們已經耐心等待是次職系架構檢討有20年之久。(第3段)
- 該份文件沒有適當地概述今年薪酬趨勢調查的進行和沒有清楚地列出「不同意見」。職方委員之間出現意見分歧的情況，十名職方代表中，有四名委員(在165 000人的強大公務員隊伍中，代表超過100 000名公務員)未能確認僅其中兩間公司(即公司L080和L057)的數據，因為有關公司違反了訂明的調查方法和未獲委員適當地同意納入調查的範圍。另有兩名委員在6月8日違反了其身為薪酬趨勢調查委員會委員的職責，因為其中一人曾表示對公司L080有保留，而另一人則認為L080的數據含糊不清，但他倆仍然繼續確認存在有問題數據的調查結果。(第8段)
- 薪酬趨勢調查委員會6月8日的會議欠缺具支持作用的記錄，這可

(中譯本)

- 薪酬趨勢調查委員會6月8日的會議欠缺具支持作用的記錄，這可解釋委員意見分歧，而現時薪酬研究調查組仍未設有機制容許大部委員通過薪酬趨勢調查初步結果的事實。此外，2009年的調查並沒有按照長期以來的正確做法，把委員提出懷疑的公司剔除。會議記錄於2009年6月16日沒有備妥，該日是行政長官會同行政會議就薪酬建議作出決定的日子。現時，該份會議記錄仍未能提供予薪酬趨勢調查委員會委員參閱。這是不合理和欠妥的程序。現時，這已被視為一種政治行動，以致人員「被迫就範」和「被操縱」。(第8段)
- 在出現薪酬下調的情況時，當局未能就警隊職方的關注事項，以及為已處於頂薪點多年的人員提供資料；然而，75%的警隊成員已達到頂薪點。(第9段)
- 有關消費物價指數改變的資料不足〔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)〕，而文件中提及公務員退休金金額將增加2.5%。(第13段)
- 有關其他職方提出凍薪要求的背景資料不足。我們並不同意部分其他職方協會和工會。原則上，我們不接受任何恢復就警隊薪金所作的非正式決定。當「幕後」的交易是要求議會提交凍薪的要求時，有關制度便存在不公平，而對於所有僱員和市民亦不公平。我們認為這項安排嚴重偏離和徹底改變當局僅於2007年推出的更完備公務員薪酬調整機制，以便嚴格就薪酬進行上調和下調。我們的薪酬調整要求是唯一一份願意維持嚴格應用性和尊重有關程序的文件。(第15段)
- 有關警隊士氣低落情況和警隊與當局持續存在薪酬紛爭的詳情不足。該份文件沒有提及在2004年及2007年進行有關警隊士氣的獨立調查報告、警務處處長和職方就職系架構檢討提交意見書中提及的低落士氣，以及警隊對薪酬的關注向當局提交的報告。士氣問題是一項討論不足的重要問題。(第16段)
- 該份文件就暫緩執行職系架構檢討的理由解釋不足，職系架構檢討較2009年薪酬趨勢調查更早開始，但卻被當局推遲。由於公務員事務局局長遲遲未有行動，以致真正諮詢警隊職方的工作停頓下來。(第16段)

(中譯本)

- 行政長官會同行政會議偏離薪酬趨勢調查結果的做法成為2007年更完備公務員薪酬機制的壞先例。這種恢復使用非正式安排的做法必須被否決，當局沒有理據破壞公務員薪俸及服務條件常務委員會和(其實是)行政長官會同行政會議所通過的程序。(第19段)
- 當局以立法方式減薪，以及就兩個薪金級別實施凍薪和一個薪金級別實施減薪的機制被視為一項無理的改變，影響了警務人員薪級表既定的對比關係，這是人員所不能接受的。立法會參考資料摘要中沒有解釋對比關係的改變。(第22段)

我們仍然等待有關方面適當地披露有關2008年和2009年薪酬趨勢調查的資料，並希望你支持我們，一起適當地提出並研究上述事項。在我們同意的119間公司當中，許多間公司均出現薪酬下調的情況。我們是唯一一個職方評議會同意三個薪金級別可出現正負指標的調整。我們仍未取得有關20間被剔除公司的詳情，以及根據薪酬趨勢調查方法第11(a)(iii)及(d)段規定逐年比較的數據。

我們希望有機會與你會面，解釋我們的關注事項。我們已準備經仲裁、調查委員會或司法覆核(視乎何者適用)等方式，在立法會表達我們的意見。

我們已另行致函行政長官會同行政會議，要求他成立調查委員會，以研究2009年薪酬趨勢調查的進行。

警隊職方保留權力以行使基本權力和尋求司法及其他補救方法的自由，包括集會的個人權利，以及言論自由，以便向市民提出我們就上述事項的關注。

我們期待能盡快與你會面。

(簽署)

警司協會  
主席岑維健

(簽署)

香港警務督察協會  
主席廖潔明

(簽署)

海外督察協會  
主席韋理民

(簽署)

警察員佐級協會  
主席鍾錦華

警察評議會職方

連附件

2009年6月19日

中譯本

Annex A

## 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 ASSOCIATIONS39/F, ARSENAL HOUSE  
POLICE HEADQUARTERS  
1 ARSENAL STREET HONG KONG

協會編號 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

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

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峻，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) 警司協會 主席岑維健	(簽署) 香港警務督察協會 主席廖潔明	(簽署) 海外督察協會 主席韋理民	(簽署) 警察員佐級協會 主席鍾錦華
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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：孫玉函先生)

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

附件 'A'

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。

中譯本

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協會編號 OUR REF: (17) in SS/C 1/12 Pt.13  
來件編號 YOUR REF:

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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

你於 6 月 16 日的來函收悉。信中講述行政長官會同行政會議有關低層和中層級別凍薪，而高層級別減薪 5.38% 的決定。2009 年 6 月 16 日(星期二)下午，當人員獲悉這些建議時，警隊上下極度憤怒和失望。人員的憤怒主要涉及你提到的「既定機制」，而事實上你和行政長官均已偏離了該機制的事實。你們不但接納有問題的薪酬趨勢調查結果，還據此提供薪酬建議。

我們的忍耐正接受考驗，我們已表現克制和謹慎。我們也希望能保持理性並以有條理的方式來處理有關問題，但坦然只有局方改變態度，表現出一點真正的關心，並花時間去研究我們的意見，我們才可以做到這一點。

我們要求當局適當和仔細檢討 2009 年薪酬趨勢調查，剔除公司 L80 和 L057，以及提供一個更清晰的大綱，說明當局對職系架構檢討的意見和訂立時間表。我們須要知道職系架構檢討如何與薪酬趨勢調查的預計日期互相配合，以免進一步損害關係。

看來，行政長官會同行政會議的決定和 2009 年的薪酬建議已成為程序政治化的一部分，並把焦點放於高級公務員的薪酬之上，以確保市民支持行政長官的政治基地，以便度過 7 月 1 日，以及滿足一直

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影響香港的商業利益需要。我們明白當局要求我們「與市民共度時艱」，支持行政長官和香港，以及在我們的薪酬方面作出令人為難的犧牲。這是一個令人難受的選擇，因為我們一直忍耐地支持香港，但顯然我們在等候當局所答允的事情期間沒有受到尊重，因為經過多時有關承諾仍未兌現。職系架構檢討已延誤了許多年。我們曾經被要求接受當局就進一步延遲職系架構檢討發表的可修訂和含糊不清的聲明。

在 2004 至 2008 年期間，許多市民會享受相對的繁榮，而生活質素亦大致上獲得改善，但警隊的情況自 1997 年起便每況愈下，逐年變差。我們已經忍受了三次減薪(現在可能是第四次)和兩次凍薪。我們的同事已公開表示「要適可而止」。此時此刻，立法減薪並非警隊所能考慮或接受的安排。

身為警務人員，我們尋求公平、公開的交易、一個平坦的比賽場地和嚴格實施既定的機制。我們就今年的薪酬趨勢調查提出問題是因為有關機制的不足，而不是因為有關結果出現負數。我們的薪酬紛爭必定有方法以理性方式予以解決，而不應被忽略。我們的成員認為有關過程一直由當局和公務員事務局局長在幕後安排，以致我們作為個人只能逆來順受或在眾人怒目之下堅守原則，並證明警隊的獨特職責和面對的困難。沒有誠信的話，一切事情都會出現問題。

我們的成員認為當局在擬備今年的薪酬「建議」時，沒有適當考慮和重視警隊士氣低落的嚴重程度，或真正了解惡劣的情況；職系架構檢討報告書於 2008 年 11 月 27 日公布以來，人員對該項檢討的疑問，以及我們對 2009 年薪酬趨勢調查和薪酬趨勢調查委員會操控和濫用有關程序的真正關注。我們認為公開討論，甚至研究我們所關注有關把公司 L080 和 L057 納入 2009 年薪酬趨勢調查的問題並無任何敏感性。當局未能尊重警隊在這些事情上的意見，令警隊在公務員隊伍中處於困難和不明確的時期。當局並無任何誠意為警隊職方提供適當的諮詢架構，我們會繼續期望當局會改變態度。

此外，事實是當局沒有正視警務處處長和職方就職系架構檢討提交的意見書，以及處長的介入並於 2009 年 6 月 5 日就有關檢討向你(公務員事務局局長)發出的信函，或以真誠作出任何跟進行動來聯絡我們或提供你的意見。這種情況令人非常擔心。

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2009年6月11日，我們曾在2009年警務人員薪酬調整——薪酬調整要求的函件〔(10) in SS/C 1/12 Pt.13〕中表達意見。該份意見書亦已夾附於2009年6月16日提交立法會的參考資料摘要(CSBCR/PG/4-085-001/62)中。不過，我們非常擔心當局向行政長官會同行政會議和立法會議員表述或「失實陳述」薪酬趨勢調查過程的方法。我們現正致函行政會議成員和立法會議員，促請他們審慎研究當局向他們提供的資料。

今日，在當局公布有關政府獲委任人士薪酬的具爭議和明顯充滿政治動機的消息後少於24小時內，我們再次被要求遵從行政長官會同行政會議就薪酬建議所作的無理要求並作出回應。當局必須清楚區分月薪超過134,000港元的政治助理及其他獲委任人士與公務員高層級別僱員的支薪決定和程序。公務員的高層級別僱員中，許多人員實際上只是領取「私營機構薪酬的中位數」。

雖然我們提到公務員中有高層級別 I 和 II 之分，但我們必須理解到有關分別，高層級別 I 的薪金幅度並不大，只是由48,401港元至77,675港元，遠較任何獲委任人士的薪酬為低。這些人士主要是前線的督察級指揮人員。

我們並不同意部分其他職方協會和工會的意見。原則上，我們不接受任何就薪金所作的特別決定。當「幕後」的交易是達成凍薪安排時，對所有僱員和市民並不公平。我們認為這項安排嚴重偏離和徹底改變當局僅於2007年推出的更完備公務員薪酬調整機制。

這個取向及你對待職方的方式損害了我們與你(公務員事務局局長)之間應有的關係。我們獲邀於明天與你會面，以獲悉有關立法減薪草案的內容。坦白說，當局這次在我們就薪酬建議提交意見書之前已計劃好的會面安排，進一步反映當局完全欠缺同情心，以及沒有興趣聽取或正當地處理我們的意見。

我們有責任代表香港警隊27 000名男女警務人員，把意見記錄在案。我們要求當局就警隊薪酬向行政長官會同行政會議、立法會議員、商界及各社區團體提交任何意見書時，完整地反映我們的上述意見。我們希望互相尊重有關事項的透明度、公開和進行全面探討，只有這樣，我們才可繼續竭誠盡心地為市民服務。為了清楚表達我們的

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意見，我們現希望就行政長官會同行政會議於 2009 年 6 月 16 日作出的薪酬建議提出以下需予解決的問題。

- a) 我們認為這項薪酬建議嚴重偏離行政長官會同行政會議於 2007 年通過的更完備薪酬機制，以及把薪酬調整機制政治化，這是我們不能接受的。我們獲悉並支持當局作出的保證，即任何薪酬建議不會影響或「轉入」日後的調整，並視之為清晰的原則；
- b) 行政長官會同行政會議根據有問題的 2009 年薪酬趨勢調查結果提出薪酬建議是不妥當的。我們認為共有 119 間(必須剔除公司 L080 和 L057)經調查的公司(不論有關結果是正數或負數)符合薪酬趨勢調查方法，而且值得信賴。警隊只可接受的有效薪酬趨勢總指標為低層級別：+0.75%、中層級別：+0.83%、高層級別：-1.59%。
- c) 我們要求應用薪酬趨勢總指標，而無須跟隨當局扣減警隊增薪額的做法，因為現時在職系架構檢討未有進行之前，75% 的香港警隊成員沒有領取任何按年遞增薪額。我們亦知悉前線初級警務人員各個增薪點的比率持續較一般職系人員少數個百分點；
- d) 在香港，警隊的角色獨特。2009 年，警隊正面對一連串挑戰，因此職方將反對任何以立法減薪的任何機制。倘若公務員須減薪，有關安排也不應該應用在警隊之中。公務員事務局應審慎與職方進行適當談判，並首先考慮對前線警隊指揮官，特別是處於事業中期的督察級人員的效率和士氣的影響，因為他們負責指揮香港各個警區日常的行動和檢控工作；
- e) 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；
- f) 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)；
- g) 盡快落實上文所述的職系架構檢討建議，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



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h) 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。

你的行動令我們相信行政長官會同行政會議於 2007 年核准的更完備薪酬機制現正面臨被破壞而無可彌補的危機。我們擔心該機制已經停滯不前。今年當局對薪酬調整的取向，以及你未能履行承諾在今年年中就職系架構檢討提出建議，這是令人難以接受的。你這種行動，加上推遲進行職系架構檢討，已引起香港警隊的極大關注，同時亦令各級人員士氣跌至近十年來的最低點。我們促請你不要立法，以免損害警隊職方與當局之間的關係，達至無法修補的境地。

(簽署)

警司協會  
主席岑維健

(簽署)

香港警務督察協會  
主席廖潔明

(簽署)

海外督察協會  
主席韋理民

(簽署)

警察員佐級協會  
主席鍾錦華

副本送：

行政長官辦公室

政務司司長

行政會議成員

立法會議員

警務處處長

立法會公務員及資助機構員工事務委員會

SF(1) in SS/C 1/12、SF(8) in SS/C 1/12

2009 年 6 月 17 日



本會檔號：(153) in 2/7/CCSA(XVIII)

香港特別行政區政府  
行政會議秘書處 轉  
全體行政會議成員

尊敬的行政會議成員：

### 建議行政會議重議公務員薪酬調整

本會已就上周二(2009年6月16日)貴行政會議有關本年度(2009/10年度)公務員薪酬調整向各中央評議會職方提出的建議，於6月18日致公務員事務局俞宗怡局長信中作出了回應。下面為補充意見。

#### 權衡利弊 凍薪為最穩妥的做法

有鑑本年度公務員薪酬調整問題將異常複雜，為試圖避免或減少爭拗及震盪，避免7年前立法減薪的亂局歷史重演，並展示公務員願與市民共渡時艱之誠，本會曾於今年4月建議“打破常規，特事特辦”，全體公務員即時凍薪。可惜事與願違，如今，亂局已不幸地開始出現。

這亂局首由酬趨勢調查委員會的錯誤處理造成：每年一度的薪酬趨勢指標遭遇了罕見的強烈質疑，但技術問題未能以技術解決，致委員會內出現了35年來從未發生過的嚴重爭議及對立！

而令問題更趨複雜的是：

- (1)在社會泛政治化、傳媒普遍要求公務員減薪下，對薪酬趨勢指標質疑的聲音被扭曲為“輸打贏要”，致本年度薪酬調整問題變得更政治化；
- (2)有關問題近日突然滲雜了對職系架構檢討結果尚未實施的公開不滿及警務人員要求獨立薪調架構的訴求；
- (3)昨天(6月21日)紀律部隊人員總工會發動了請願，下周日(6月28日)警務人員又將進行歷史性的上街請願，致有傳媒質疑特區政府正面臨管治危機；
- (4)由於此次高層公務員減薪酬時所參照的薪酬趨勢純指標 -5.38%，並非是薪酬趨勢調查委員會一致共識下所確認，爭議極大(差異有 -3.2%至-3.79%之大)，據此立法減薪恐將面對法律挑戰，牽連影響將極大。據本會了解，高層公務員同事對目前高壓態勢下減薪的抵觸情緒，已開始上升；即使將獲凍薪的中低層公務員同事中，不滿當局處理手法的也越來越多。而爭拗持續不停下，公務員及社會對立恐將加劇，公務員隊伍的士氣和穩定恐將存疑。

本會擔心，本年度公務員薪酬調整問題將難以順利解決。為避免類似 2002 年立法減薪“三輪”的亂局，有可能歷史重演，為公務員隊伍的穩定及本港的大局着想，權衡各薪酬調整方案的利弊，本會認為今年全體公務員凍薪應為最穩妥的做法，望貴行政會議鄭重考慮。

### 凍薪建議不等於反對公務員與市民共渡時艱

本會作此凍薪建議，絕不表示本會反對公務員與市民共渡時艱，希勿誤會。

本會認為，在容許公務員分享及分擔經濟升跌 (to allow civil servants to share the ups and downs of the economy) 的政策前提下，公務員在需要時順應民意，展示願與市民共渡時艱之心，並無不合理之處。事實上，本會曾於 2003 年初提出過“0-3-3”減薪方案，獲政府接納，官職雙方據此達成歷史性減薪協議，從而一舉解決了困擾整個社會的嚴重爭議。

必須指出，本會對 2008/09 年度薪酬趨勢指標提出異議，絕非有人所曲解的“輸打贏要”、“反口覆舌”，而是秉承 35 年來一貫的宗旨，克盡薪酬趨勢調查委員會職權範圍規定的職責，認真審核薪酬趨勢調查報告，確保調查是依據既定的準則進行，以捍衛調查機制的公信力。

令人遺憾的是，理應較中立、中性的薪酬趨勢調查委員會無視嚴重爭議，一反行之有效的慣例，玩弄“少數服從多數”的手法，強行確認薪酬趨勢調查報告，又不向社會交代“不同意見”，平添亂局，留下了嚴重的後遺症。

令人遺憾的還有，儘管今年面對的公務員薪酬調整問題異常複雜，又出現了嚴重爭議，公務員事務局由始至終，竟無任何主其事者主動與職方進行溝通商議，以探究問題的所在、謀求較穩妥處理的辦法，致問題越趨複雜化、政治化，爭拗白熱化。

### 殷切盼望行會重議

為盡量減少各負面影響及後遺症，本會殷切盼望貴行政會議能重新考慮上周二的建議。

會長  謹啓

2009 年 6 月 22 日

警察評議會職方協會

香港軍器廠街一號警察總部

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POLICE FORCE COUNCIL

STAFF ASSOCIATIONS

39/F, ARSENAL HOUSE

POLICE HEADQUARTERS

1 ARSENAL STREET HONG KONG

協會檔號 OUR REF:(33) IN SS/C 1/12 PT 13

來件編號 YOUR REF:

19<sup>th</sup> June 2009

The Honourable Donald Tsang, GBM  
The Chief Executive  
Hong Kong SAR.

Dear Mr. TSANG,

### **Independent Review on the Pay Trend Survey 2009**

We write to petition you to set up an independent review and seek your appointment of a committee to inquire into a dispute between the Police Force Council Staff Side (PFC SS) along with any other members of the Staff Councils on the Pay Trend Survey Committee (PTSC) and the Official Side of the Committee over certain aspects of the civil service pay system and the handling of both pay claims and pay offers.

Having regard to the improved methodology on Civil Service Pay approved by the Chief Executive in Council in 2007, we seek a committee to make inquiries that will:

- (a) Review the methodology and conduct of the 2009 Pay Trend Survey (PTS) including matters of inclusion and exclusion in the survey field and the interpretation of findings.
- (b) Review and advise specifically on the 2009 Pay Trend Indicators and any revisions that may be necessary.
- (c) Consider the issues arising from any recalculation of pay indicators.
- (d) Consider issues relating to the reporting mechanisms for the deliberations of the Pay Trend Survey Committee (PTSC) and PTS results to the administration and the Chief Executive in Council.
- (e) Consider the mechanisms for the handling of submissions relating

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

to pay claims and pay offers as part of the improved methodology on civil service pay.

- (f) Consider the methodology and findings of the 2008 Pay Trend Survey and comment on their validity for making pay adjustments in 2008.
- (g) Any other matters of relevance and make recommendations.

Our request for an independent review is founded upon overwhelming evidence uncovered in meetings with the Pay Survey Research Unit (PSRU) and Joint Secretariat, SCCS between 25<sup>th</sup> May and 5<sup>th</sup> June. Controller PSRU has failed to disclose sufficient information to members of the PTSC in respect of 20 companies excluded from the 2009 Pay Trend Indicator (PTI) calculation. The disclosure in respect of company L080 was only supplied selectively. Members of PTSC did not have a full picture of the circumstances surrounding the exclusion of the company from the 2008 PTS and inclusion in this year's PTS. We have the following observations on the conduct and results of the 2008 and 2009 PTS:

- (a) Two companies included in the 2009 Pay Trend Indicator (PTI) calculation were not endorsed for the 2009 PTS survey field; The company (and L057) have not been endorsed by the PTSC for inclusion in the 2009 PTS survey field. The claim by the Secretary General that the companies were endorsed at the 72<sup>nd</sup> PTSC meeting is wrong, as evidenced by the minutes of that meeting. The claim by the Controller that the two companies were endorsed by way of the Paper No. PTSC/3/2009/I issued on 4<sup>th</sup> May 2009 is equally wrong. Companies were not endorsed by way of any meeting or by way of any signed reply slip and to assume otherwise is wrong.
- (b) One of those companies, L080 in the 2009 PTS, was excluded from the 2008 PTI calculation on the grounds that it did not meet the methodology criteria under paragraph 11(a)(iii) and paragraph 11(d) of the agreed methodology. However, initial information supplied by the company L080 in March 2008, and viewed by PFC SS, showed that the company met the selection criteria;
- (c) The PSRU, in a letter accompanying the 2008 PTS report, dated 14<sup>th</sup> May 2008, failed to disclose the actual reasons for exclusion of

company L080, even though this was the first time a company has been excluded for these reasons;

- (d) From 29<sup>th</sup> July 2008 until March 2009, the company L080 maintained it could not take part in the 2009 PTS for the same reasons;
- (e) Noting that several companies (including company L080) were not included in the proposed 2009 survey field, the PFC SS requested at the PTSC meetings on 10<sup>th</sup> October 2008 and 7<sup>th</sup> January 2009 that the PSRU make efforts to request the inclusion of these companies. The PFC SS would not have taken such action if the PSRU had revealed the true reason for exclusion of company L080 in 2008. The PSRU denied the PFC SS that information on the grounds of confidentiality, despite the fact that revealing this information would in no way have disclosed the true identity of the company L080;
- (f) Company L080 was apparently re-instated to the survey field after a meeting with PSRU staff on 4<sup>th</sup> March 2009. PTSC members, including the PFC SS, were not told about this fact until two months later and indeed have never endorsed or been asked to endorse the re-instatement;
- (g) However, as of 5<sup>th</sup> May 2009, company L080 still did not meet the methodology criteria described above. In documents seen by police, the Controller PSRU admits in writing that she has concerns about the company but that the company should be able to meet the requirements in **2010** (not 2009). In meetings with PSRU prior to 8<sup>th</sup> June 2009, the PSRU could not confirm that situation had changed since that note was made on the relevant file by the Controller;
- (h) The reporting (lack of proper reporting) of the 2009 PTS results and the different views from the PTSC meeting on 8<sup>th</sup> June 2009 to the Administration and to CE in Council is a matter of genuine concern. There is in fact no “majority rule” validation of the PTS results. Four out of ten staff side members did NOT validate the results, a further three members expressed concerns about company L080 but still validated, contrary to their mandate on that committee. This split decision requires an independent

review;

- (i) At the PTSC meeting on 8<sup>th</sup> June on the 2009 PTS report, the Chairperson Ms. Virginia CHOI agreed to refer the split decision and different views on the 2009 PTS findings to the Administration by sending a full copy of minutes of the PTSC meetings on 25<sup>th</sup> May and 8<sup>th</sup> June, to provide proper information for deliberation by the Chief Executive in Council. As at 16<sup>th</sup> June, the day of CE-in-Council 's announcement of Pay Offer to the four Central Staff Councils, we have not received draft minutes for confirmation. We raise strong objections to the failure of the Secretary of the PTSC to follow the direction of the members of PTSC and the Chairperson of PTSC in this regard.
- (j) Although our Pay Claim Letter [Reference: (10) in SS/C 1/12 Pt.13, dated 10<sup>th</sup> June 2009] is included in a briefing paper to LegCo [CSBCR/PG/4-085-001/62 dated 16<sup>th</sup> June 2009] we have grave concerns in the way the process for the Pay Trend Survey (PTS) is being represented, and we believe misrepresented, to Chief Executive in Council and to the Legislative Council.
- (k) We consider there is evidence that some member(s) / observer(s) of the PTSC had been informed that if they validated the 2009 PTS results there would be a pay freeze for the lower and middle bands. This, of course, is exactly the decision that you announced on 16<sup>th</sup> June 2009, subsequent to your earlier announcement, **prior** to a decision on civil service pay, that political appointees would be taking a 5.38% pay cut. This may also explain why the Chairman, PTSC on 8<sup>th</sup> June was so anxious to push through the validation of the survey findings even though two companies had not been endorsed in the survey field and while members of PTSC still had genuine concerns about company L080 and sought proper disclosure of information, that was denied. The South China Morning Post on 8<sup>th</sup> June also quoted a university professor as saying that there was slim chance of the staff side remaining in disagreement with the survey findings, with the government **lobbying behind the scenes**.

We believe that you would not in good faith have decided on 16<sup>th</sup> June 2009 to act upon the results of the 2009 PTS in determining the 2009 Pay Offer if you had been made fully aware of the full facts surrounding both the

conduct and validation of the 2008 and 2009 PTS.

Morale in the Police Force is at its lowest in a decade, directly affected in a most adverse way by the issues raised in the conduct of the 2009 Pay Trend Survey and integrity of the findings of the survey.

We have always stood by the principles and our belief in the improved mechanism for civil service pay, endorsed by Chief Executive in Council in 2007, for strict applicability of PTS results. We have agreed and have confidence to validate the results of 119 companies, which does include a negative PTI for the Upper salary band. We are in dispute on the inclusion of two companies.

We urge you to direct an independent review into these disputed matters so as to address the decline in Police morale and give us confidence in the fairness and integrity of the process of the improved pay mechanism and the conduct of the annual Pay Trend Survey. The Inquiry needs to work to a tight schedule and urgently to resolve matters **before** you make any final decision on the pay adjustment for police officers in 2009.

We look forward to your early attention to this matter.

Yours faithfully,



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SHAM Wai-kin  
Chairman  
SPA

LIU Kit-ming  
Chairman  
HKPIA

David WILLIAMS  
Chairman  
OIA

CHUNG Kam-wa  
Chairman  
JPOA

c.c.

Commissioner of Police

External

Secretary for Civil Service

Chairman, LegCo Panel on Public Service

Members of ExCo

Members of LegCo