

CONTROLLING OFFICER'S REPLY

HAB363

(Question Serial No. 6865)

Head: (95) Leisure and Cultural Services Department

Subhead (No. & title): (-) Not Specified

Programme: Not Specified

Controlling Officer: Director of Leisure and Cultural Services (Ms Michelle LI)

Director of Bureau: Secretary for Home Affairs

Question:

What is the meal arrangement for outsourced workers employed by outsourced service contractors of the Leisure and Cultural Services Department (LCSD)? Are they entitled to paid meal breaks? Does the LCSD provide meal facilities for non-skilled outsourced workers? If yes, what are the details?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 7128)

Reply:

It is stipulated in the outsourced service contracts of the Leisure and Cultural Services Department (LCSD) about the service hours to be provided by the service contractors and the duration of meal break/rest time to be provided for their workers. While meal breaks are not included in the working hours, the LCSD does not require outsourced workers of the outsourced service contractors to stay at the workplace or carry out their work during meal breaks. As neither the current Employment Ordinance nor "Standard Employment Contract" prescribes whether meal breaks should be paid, the arrangements are subject to the agreement between employers and employees having regard to the circumstances of individual enterprises. Therefore, the outsourced service contracts of the LCSD require the contractor and its outsourced workers to reach an agreement on meal arrangements and such information should be stipulated in the "Standard Employment Contract".

The LCSD will normally provide suitable areas in the venues for outsourced workers to rest and to have meals. If space is limited, the outsourced workers will share the facilities with venue staff of the LCSD.

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