

社評

最低工資立法終水到渠成

特區《最低工資條例草案》將於明(二十六)日在憲報刊登,七月八日提交立法會討論,可望二〇一〇年底或二〇一一年初生效實施。

勞工及福利局長張建宗昨日公布有關消息時,以「香港勞工權益的里程碑」來形容。張建宗此言,並不誇張。本港勞工史以百年計,但從來都只是由僱主和市場需求決定工資,勞工「議價」能力有限,政府基本上只作「壁上觀」。

因此,如張建宗局長所言,本港最低工資經過長時間醞釀、爭議後終於達到了刊憲立法的階段,從保障勞工權益、構建和諧社會以加強法治,都是一件值得重視和高興的事。

有關最低工資立法,路途並不平坦。早在擬議階段,就有人提出削弱本港競爭力及僱主不會接受等為「理由」表示反對,市民也多持觀望態度,對立法的必要性將信將疑。但經過以工聯會為主的勞工團體的不斷努力爭取,特別是由於近年經濟轉型造成大量低學歷、低技術工人轉投入服務業市場,任職大廈看更、屋邨保安員、清潔工人以及連鎖快餐店、便利店店員,時薪慘被壓榨至二十多元以至不足二十元,甚至出現「打工不如攞綜援」的「倒掛」現象,有關最低工資立法問題才在全社會引起了強烈的反響與關注。

其實,所謂競爭力和僱主接受與否,與最低工資立法不能混為一談,更不應成為反對的藉口。本港未來長遠競爭力的增加,只能建基於法治、管理水平和創新能力之上,而不是以壓榨勞工的低工資來獲得;同樣,作為一個精明僱主和有識僱主,也不會不明白到「勞資同坐一條船」的道理,合理的工資待遇有助建立良好的機構文化和僱員關係,有助提高員工的工作積極性和歸屬感,是「除笨有精」的。

條例草案較特別之處,是留宿家庭傭工和「實習生」兩類僱員不包括在內。這一豁免可以理解,一來留宿家庭傭工的工作時間難以準確計算,二來目前本港家庭絕大部分聘用的外籍留宿傭工已有「最低工資」三千五百八十元以及由僱主提供住宿、膳食、往返機票,基本權益已獲保障;至



勞工及福利局局長張建宗表示,《最低工資條例草案》可望2010年底或2011年初生效實施

於大專「實習生」,實習多為課程一部分,受僱工作與僱主提供學習機會兩種性質不易準確區分,部分機構只提供生活補貼已屬慣例。「草案」亦特別關注到殘疾人士的問題,他們受到條例的保障,但勞資雙方可根據實際工作要求和能力作出評估,釐定受僱者是否可以獲得不低於最低工資的工資。此一規定基本合理,但在實行上應對殘疾僱員提供足夠的支援。

條例一旦立法通過後,最終具體時薪將會定在哪一個水平,有待統計處及有關委員會明年初搜集資料數據後作出決定。對此,工聯會提出的最低時薪三十三元,應該是一個有據的參考。此外,數據一旦釐定後,在何種情況下會獲得檢討及調整,亦需要明確清晰的規定。

2009/06/25 大公報社評

中文基本功

何故亂罵屈原發洩?

每年端午節,國人以龍舟競渡紀念屈原,起碼有一千五百年歷史。抗戰時期,定這一天為「詩人節」,至今也有六十多年。五月廿八日適逢端午,當晚商業電台《光明頂》講屈原應節,不知何故,主持人大罵屈原,還說這是「排毒」!

屈原究有何「毒」,而要「排」之?原來主持人指屈原「只忠於楚懷王」,那是愚忠!屈原沒有像孔子、孟子周遊列國找尋用己之人,也是愚忠!特別是屈原是個同性戀者。

且不說主持人把屈原愛國縮窄為只忠於一個人,說不過去;就是孔、孟周遊列國,也在於宣傳自己的政治理念,而非求官求財,將屈原扯到孔、孟,是搞錯方向。主持人平日站在同性戀方面說話,怎麼今次忽然把「同性戀」說成屈原之「毒」而要「排」之呢?

看來,主持人很少讀中國歷史,

對孔孟之認識,一如對屈原之認識那樣模糊;更不知屈原生前死後不少同性戀故事,偏偏屈原沒有!

講起同性戀,以「分桃斷袖」最著名。「分桃」主角,是比屈原早了百多年的衛靈公與彌子瑕;「斷袖」主角,是比屈原晚了三百年多的漢哀帝與董賢。夾在他們中間的屈原,卻不曾留下同性戀的痕跡。

有聽眾認為,主持人針對屈原而胡說亂道,看來是借題發揮,有所發洩。《光明頂》主持人也批評春秋戰國時期「文人不許從商」。偏偏春秋戰國之交,孔子的學生端木賜(子貢),正以「文人從商」致富而聞名於當時和後世。

「不入虎穴,不得虎子」,你要罵中國歷史文化、應該先從研究中國歷史下苦功然後開口。

容若

五星級英文



閱讀習慣影響寫作能力

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教的學生中,約一半有閱讀課外英文書的習慣。有些幾乎是書不離手,每次見到他們,都是捧著和上星期不同的書,於是嘗試從他們的閱讀習慣去看他們英文寫作的能力和進度。

歡喜看科幻小說的學生,較多在寫作時捧著頭,看看天花板再看地,遲遲寫不出來。當看 non-fiction,即非文學性的書籍者,下筆較容易,但寫出來的文章往往偏向四平八穩,趣味性低。拿著學校指定課外書,即巨著簡易版的,通常不自覺的有個方程式,頭一段怎樣起首,跟著怎樣發展,每篇文章都是換題目不換形式。有一兩個學生看的書較雜,書蟲式的什麼都鑽一鑽,他們的文路比較飄忽,有時下筆如有神,精彩得連我也拍案叫絕,有時則「亂晒龍」,不知道他們想說什麼。

這些學生有個共同點,就是很少叫我介紹課外書。大概因為他們在閱讀的過程中已慢慢摸索到自己的口味,知道如何去尋覓心中的至愛書籍。

努力為孩子找課外書的家長或努力為自己找課外書的同學看到這裡,或者會問我:作為一個鼓勵英文寫作

的人,我會介紹哪一種書籍作為幫助英文寫作的踏腳石?

關鍵是看閱讀者學以致用的能力有多高。從學生的個案分析,初步的想法是:看是一種技能,用是另一種技能,中間的吸收和轉化又各是一種技能。每人擁有這4種技能的資質、修養和訓練都不同。這4種技能之外,大概還有不少決定性的因素。印象最深刻的例子是:有一名學生在上課前和休息都埋首看一位作家的書。這位作家的書獲一些大學列為教材。但每次作文,這學生都皺起眉頭,一副痛苦模樣。有次他對我說:實在很怕寫作,每次都覺得自己無話可說,勉強左抄右抄去交功課,非常可怕。我笑說:誰不是左抄右抄,不是有人說天下文章一大抄嗎?其實你有這個體會,已經比很多同學好了。你的文章也不比別人差。像你這樣,多加練習,可能有一天不用抄別人。但他顯然不信,只露出令人看了傷心的神情。他缺少的,是欣賞自己作品的

(英文課外讀物·下)

社經「數」描

星洲出招增人口 資助生育吸移民

新加坡人口為480萬,勞動人口超過200萬,其中100萬是以工作簽證的性質到新加坡工作;換句話說,新加坡國民只不過380萬左右。

新加坡政府近年鼓勵國民生育,去年推出人工輔助受孕補助計劃;人工受孕費用由政府承擔一半,每次上限為3000坡元(約15,990港元),最多資助3次手術。據資料顯示,今年1至4月在新加坡出生的嬰兒只有12,679名,比去年同期少190名;去年全年則有39,826名嬰兒出生。

未來新加坡要持續發展,培訓和吸納人才最為重要;事實上,新加坡跟倫敦一樣,有33%的居民是出生於其他國家,政府願意接受移居的外國人。新加坡發展規劃在今後的40年,人口將由480萬增加至650萬;其主

要人口增加來源是靠移民;另一方面,政府亦鼓勵生育,令到移民與國民的比例不會太傾斜。

最近,新加坡公布09年首季的國內生產總值與去年同期相比萎縮了10.1%,跌幅比預期的11.5%好,估計今年全年新加坡經濟約收縮6%至9%。縱使經濟不景氣,政府仍然有信心在經濟放緩的同時鼓勵教育及培訓,此外還鼓勵本地繼續生產,放棄低檔電子產品,提升生產價值鏈,尋找有利可圖的新市場。近期該國在造船和生物製藥的增長速度頗快。

新加坡沒有如香港般有內地可背靠,唯有不斷開拓經濟平台,似乎也能找到出路。

專業教育培訓顧問 呂康

Editorial

Time ripe for legislation on minimum wage

The first Minimum Wage Bill of the Hong Kong SAR will be gazetted tomorrow (26 June) and tabled with the Legislative Council on 8 July which - if passed - will come into force at the earliest by the end of 2010 or early 2011.

Releasing the news yesterday, Secretary for Labour & Welfare Matthew Cheung Kin-chung described the introduction of the bill as "a significant milestone in the protection of labour rights in Hong Kong". This is by no means an exaggeration. In Hong Kong's labour history of more than a century, it has always been the case that wages are decided by employers and market demand, with workers having very limited bargaining power and the government refraining from getting involved. Undoubtedly, labour relations in Hong Kong remain generally good and the average wage level is not so low compared to neighbouring places. But Hong Kong is a place where the rule of law holds sway. So if sustaining wage level and workers' living standards is completely left at the mercy of "kindhearted" or "pitiful" bosses, basic labour rights cannot be protected effectively and legally. When the hourly wage is below \$20, Hong Kong may have to tone down its crowing about being an international metropolis or this "centre" or that "hub".

Hence, as Secretary Matthew Cheung put it, having been debated and deliberated for a long time now, the Minimum Wage Bill can finally be gazetted. Such progress deserves attention and celebration, either for protecting labour rights, building a harmonious society or for strengthening the rule of law. The road towards legislation on minimum wage has not been smooth. Initially some people were against it saying it would weaken Hong Kong's competitiveness and would not be accepted by employers. Most citizens also took a wait-and-see attitude, being skeptical. But the Hong Kong Federation of Trade Unions and other labour organisations have persistently pushed for it. And, particularly in recent years, economic restructuring has forced a great number of lower educated, low-tech workers to shift to the service sector, to become housing security guards, cleaners or to work in fast-food chains or convenience stores, with wages depressed to about \$20 an hour or even less. There even appears to be the absurd phenomenon of "earning a wage by taking a job that makes less than receiving Comprehensive Social Security Assistance." Thus the issue of legislating a minimum wage began to arouse strong reaction and raise concern in society as a whole.

As a matter of fact, the so-called competitiveness and acceptability to employers must not be confused with legislation on minimum wage, let alone be used as an excuse to oppose such legislation. Strengthening Hong Kong's long-term competitive edge can only be based on improving the rule of law, management and innovative capabilities. It should not be achieved by exploitation of labour through low wages. Similarly, a knowledgeable and far-sighted employer also understands that "labour and capital are on the same

boat". Reasonable wages and benefits would help build good corporate cultures and employer-employee relations, and improve employees' work enthusiasm and the sense of belonging. Such is really a move to gain a pound by losing a penny.

A peculiarity of the Minimum Wage Bill is the exclusion of two types of employees: live-in domestic workers and student internships. The exemption is understandable. In the first place, it is difficult to accurately ascertain the actual hours worked by a live-in domestic worker. Secondly, almost all foreign domestic maids employed by Hong Kong families already have the "minimum wage" of \$3,580 a month and their accommodation, meals and air tickets are also provided by their employers. Hence their basic rights are protected. On the other hand, student internships normally form a compulsory or elective part of their academic programmes, so it is not easy to tell whether they are employed or given study opportunities by their employers. And it is an accepted practice that some institutions only provide living stipends to student internships. The bill specifically covers people with disabilities who will be protected. The bill gives these people the right to invoke an assessment of their productivity to help determine whether they should be remunerated at no less than the statutory minimum wage rate. This stipulation is reasonable on the whole. Nevertheless, in implementation, disabled employees must be given sufficient support.

After the Bill is passed by the Legislative Council, the actual minimum hourly wage will be decided early next year based on data collected by the Census and Statistics Department and relevant commissions. In this regard, the \$23 minimal hourly wage proposed by the Hong Kong Federation of Trade Unions should be taken as a reasonable reference point. Moreover, there is a need for some specific stipulation in regard to when the minimum wage will be reviewed and adjusted after it is promulgated.

25 June 2009

Idiom:

(Be) at the mercy of someone or something - To be in a situation where someone or something has complete power over you.

Examples:

- 1. Poor people are increasingly at the mercy of money lenders.
2. Small businesses are completely at the mercy of the banks these days.
3. The little ship was at the mercy of the storm.
4. We were left at the mercy of the arresting police officer.
5. Sally wanted Tom at her mercy.

通識記憶體

清潔工月薪4千 保安員僅6千元

最低工資立法可望2010年底或2011年初實施,《最低工資條例草案》已於本月26日在憲報刊登,並將在7月8日提交立法會討論。

香港百多年來,從沒有訂立最低工資標準,而香港勞工亦未有議價權利,勞工組織一直爭取設立最低工資和集體談判權,但受到商界猛烈抨擊。不過,清潔工人和保安員薪酬長期偏低是不爭事實。以萬計清潔工人每月只拿4000多元,保安員、物業管理員每天工作12小時,薪金一般只有5000至6000元。

特區政府遂於2006年10月,為清潔工人及保安員推行「工資保障運動」,特首曾蔭權一度寄望與商界及勞工界攜手,讓這兩個行業的僱員取

得不低於政府統計處調查的市場平均工資,使清潔保安享有與政府外判服務合約工人同樣的保障。曾蔭權表明,若成效不彰,則會部署為該兩個行業立法落實最低工資。政府最後在輿論、政黨的強烈要求及公眾壓力下,在2008年10月15日宣布終止推行兩年的「工資保障運動」,並籌備立法以保障工人權益。

香港大學學者周永新則質疑,就算香港有最低工資,只說明工人薪金不會低過這個水平,並不是說這個水平可保障每個行業工人的收入;以目前工資中位數約1萬元來計算,大部分「打工仔」不會對最低工資有興趣,也不會認為最低工資是保障他們薪酬的有效辦法。