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中大香港亞太研究所民調:

市民對合約工時方案意見紛紜一半人認為仍需立法訂立標準工時

2017年6月,政府公布「合約工時」方案,建議立法規定僱主要與月薪不超過一萬一千元 的僱員訂立書面僱傭合約,列明工時與超時工作補償安排。香港中文大學(中大)香港亞太研 究所近期一項電話調查發現,市民對這一方案及其具體內容未有明確共識。約一半市民認為即 使落實推行現有的「合約工時」方案,仍需要再立法訂定「標準工時」。

是次調查在二零一七年六月二十三至二十七日晚上進行,共成功訪問了716位18歲或以上的市民。調查結果發現,有近四成(39.7%)受訪者贊成政府提出的方案,約兩成(21.9%)則持相反看法,另有近三分之一(32.3%)受訪者表示「一半半」(見附表一)。如果現有的「合約工時」方案真正落實推行,約一半(50.1%)受訪者認為仍需要為「標準工時」立法,僅有約一成(11.7%)認為不需要(見附表二)。四成半(45.6%)受訪者認為政府在制定「合約工時」政策時,應該先考慮保障僱員權益,約一成(12.2%)認為應該先要顧及企業承受能力,三成(30.8%)則認為兩者都需要考慮(見附表三)。

對於有意見認為,低薪基層僱員面對僱主時,無議價能力爭取合理工作時數和超時工作補償安排,超過四成(40.8%)受訪者同意這一講法,約一成半(14.2%)不同意,另有超過三成(32.4%)受訪者表示「一半半」(見附表四)。對於有意見認為,「合約工時」安排無規定合理工時,可能令長工時及無償超時工作合法化,約三成半(34.4%)受訪者同意此說法,近兩成(19.3%)不同意,另有約三成(31.7%)表示「一半半」(見附表五)。

政府提出的方案中,以一萬一千元作為超時補償的門檻。有意見認為這一門檻太低,令許

多經常超時工作的僱員無法受惠,應該提高這個門檻。近一半(48.5%)受訪者同意這一意見,不到一成半(13.7%)表示不同意,另有超過兩成(22.9%)表示「一半半」(見附表六)。在認為應該提高超時補償門檻的受訪者中,近四成(39.5%)認為門檻應該提高到一萬六千元或以下,近三成(29.7%)認為應該提高到一萬六千元至兩萬五千元之間,6.3%認為應該提高到兩萬五千元至四萬元之間,另有近一成(9.5%)則認為所有僱員都應該享有超時補償的權利,不應該設置任何收入門檻(見附表七)。(註:根據政府統計處公布的數字,二零一六年五月至六月本地僱員的每月工資中位數,第75個及第90個百分位數分別為為\$16,200、\$25,400及\$40,900。)

對於有意見認為,雖然社會上對「合約工時」有反對聲音,但對部分僱員來說,有「合約工時」總比無任何工時保障好,所以都應該先接受,近一半(47.1%)受訪者同意這一說法,但也有近兩成半(24.6%)表示不同意,17.2%的受訪者表示「一半半」(見附表八)。現有「合約工時」方案如果真正落實推行,超過三成(33.0%)受訪者認為其對香港經濟競爭力的正面影響多一些,但也有接近三成(27.3%)受訪者認為負面影響會多一些,約一成半(15.1)則認為正負影響差不多(見附表九)。

此外,有相對較高比例的受訪者對是次調查題目的回答為「不知道/很難說」(如表 5-表 7, 比率近一成半,表 9 更近二成半)。這一方面反映了某些特定人群,如非在職人士,可能對這一 議題關注程度較低,另一方面也顯示公眾整體對政府提出的「合約工時」方案仍了解不多。政 府應考慮對方案進行更多的諮詢與宣傳。在排除回答「不知道/很難說」的受訪者後,對受訪 者按就業狀況進行的組別比較分析顯示,在職人士與非在職人士對「合約工時」方案的態度在 統計上沒有顯著的區別。

是次調查的成功回應率為 38.8%。以 716 個成功樣本數推算,百分比變項的抽樣誤差約在 正或負 3.66 個百分點以內(可信度設於 95%)。

中大香港亞太研究所電話調查研究室 二零一七年七月十二日

傳媒查詢:中大香港亞太研究所助理所長鄭宏泰博士(電話:3943 1341)。

附表一:是否贊成政府公布的「合約工時」方案(百分比)

	百分比
	39.7
一半半	32.3
不贊成	21.9
不知道/很難說	6.1
(樣本數)	(716)

題目:「政府早前公布「合約工時」方案,建議立法規定僱主要同月薪唔超過一萬一千元嘅僱員訂立書面僱傭合約,列明工時同埋超時工作補償安排。你贊唔贊成呢個方案呢?」

附表二:是否需要再立法訂立標準工時(百分比)

	百分比
需要	50.1
一半半	26.7
不需要	11.5
不知道/很難說	11.7
(樣本數)	(716)

題目:「如果以上呢個方案真係落實推行,咁你認為仲需唔需要再立法訂立標準工時呢?」

附表三:制定「合約工時」政策時應先考慮保障僱員權益還是顧及企業承受能力(百分比)

	百分比
先考慮保障僱員權益	45.6
先要顧及企業承受能力	12.2
兩者都要考慮	30.8
不知道/很難說	11.5
(樣本數)	(715)

題目:「政府喺制定「合約工時」政策時,你認為應該先考慮保障僱員權益,定係先要顧及企業承受能力?」

附表四:是否同意基層僱員無議價能力爭取合理工作時數同超時工作補償安排(百分比)

	百分比
同意	40.8
一半半	32.4
不同意	14.2
不知道/很難說	12.6
(樣本數)	(716)

題目:「社會上有人反對呢個「合約工時」方案,認為低薪基層僱員面對僱主時,無議價能力去爭取合理工作時數同超時工作補償安排。你同唔同意呢個講法呢?」

附表五:是否同意「合約工時」安排可能令長工時同無償超時工作合法化(百分比)

	百分比
同意	34.4
一半半	31.7
不同意	19.3
不知道/很難說	14.7
(樣本數)	(716)

題目:「有意見認為,「合約工時」安排無規定合理工時,可能令長工時同無償超時工作合法化。你同時同意呢個講法呢?」

附表六:是否同意應該提高超時補償的門檻(百分比)

	百分比
同意	48.5
一半半	22.9
不同意	13.7
不知道/很難說	14.9
(樣本數)	(716)

題目:「有意見認為,以一萬一千元作為超時補償嘅門檻太低,令好多經常超時工作嘅僱員無法受惠,應該提高呢個門檻。你同唔同意呢個講法呢?」

附表七:門檻應該提高到多少合適(百分比)【此題只問附表六中回答「同意」的受訪者】

	百分比
16,000 元或以下	39.5
16,000 元以上至 25,000 元	29.7
25,000 元以上至 40,000 元	6.3
40,000 元以上	1.7
不設門檻/所有僱員	9.5
不知道/很難說	13.3
(樣本數)	(347)

題目:「你認為呢個門檻太低, 咁應該提高到幾多先至合適呢?」

附表八:是否同意雖然有反對聲音,都應該先接受現有合約工時方案(百分比)

	百分比
同意	47.1
一半半	17.2
不同意	24.6
不知道/很難說	11.0
(樣本數)	(715)

題目:「有意見認為,雖然社會上對「合約工時」有反對聲音,但對部分僱員嚟講,有「合約工時」總比無任何工時保障好,所以都應該先接受。你同唔同意呢個講法呢?」

附表九:「合約工時」方案對香港經濟競爭力的影響

	百分比
正面多些	33.0
負面多些	27.3
一半半/差不多	15.1
不知道/很難說/無影響	24.5
(樣本數)	(713)

題目:「如果呢個「合約工時」方案真係落實推行,你認為對香港經濟競爭力嘅影響係正面多啲, 定係負面多啲呢?」

Survey Findings on Views about Contract Working Hours Proposal Released by Hong Kong Institute of Asia-Pacific Studies at CUHK

A telephone survey was conducted from 23 to 27 June 2017 by the Hong Kong Institute of Asia-Pacific Studies, The Chinese University of Hong Kong to gauge public views about the Contract Working Hours (CWH) plan recently proposed by the HKSAR government. 716 respondents aged 18 or above were successfully interviewed, with a response rate of 38.8%. The sampling error is + or -3.66% at a confidence level of 95%.

Major findings are summarized as follows:

In this survey, while nearly two-fifths (39.7%) of the respondents approved the current plan, about one-fifth (21.9%) disapproved it and 32.3% reported "in-between". If the current plan is implemented, half (50.1%) of the respondents believed that it is still necessary to introduce Standard Working Hours legislation in the future and only 11.7% said there is no such necessity. 45.6% of the respondents believed that the Hong Kong government, when formulating the CWH policy, should consider how to protect the employees' employment benefits first, while about one-tenth (12.2%) believed that it should first take into consideration employers' affordability. Three-tenths (30.8%) said that both factors need to be considered.

With regard to the opinion that the low-paid grassroots-level employees do not have the bargaining power to fight for reasonable working hours and overtime compensation when facing the employers, two-fifths (40.8%) of the respondents agreed while 14.2% disagreed. Regarding the suggestion that since the current CWH plan does not specify the reasonable working hours per week, it might in fact legitimize the long working hours and overtime work without pay, 34.4% of the respondents agreed while nearly one-fifth (19.3%) disagreed. There are about one-third (32.4% and 31.7% respectively) of the respondents said "in-between" for those two questions.

In the current plan proposed by the government, employees with a monthly income of \$11,000 or less are eligible to be covered. There is concern that this threshold is too low to let many employees who regularly work overtime to benefit from the plan, thus the threshold should be raised. Nearly half (48.5%) of the respondents agreed with this suggestion, only 13.7% said the opposite while a little more than one-fifth (22.9%) indicated "in-between". Among those who supported to raise the threshold, almost two-fifths (39.5%) agreed that the limit should be set at \$16,000 or below, nearly three-tenths (29.7%) thought it should be between \$16,000 and \$25,000, 6.3% considered it should be between \$25,000 and \$40,000, and almost one-tenth (9.5%) supported that every employee should benefit from such a plan thus no income limit

should be set.

Concerning the opinion that although there are voices against the current plan, it is still better off for those employee who currently do not have any protection on their working hours at all, thus the plan should be accepted first, almost half (47.1%) of the respondents agreed, but also nearly one quarter (24.6%) disagreed while 17.2% said "in-between". In terms of the impact of this plan, if it is implemented, on Hong Kong's economic competitiveness, one-third (33.0%) of the respondents thought it would be more beneficial, close to three-tenths (27.3%) believed it would be more detrimental, and 15.1% said that it would be half-half.

It is noticed that relatively higher percentage of the respondents answered "Don't know/Hard to say" for some of the questions in this survey (about 15% for questions in Table 5-Table 7 and close to one-quarter for question in Table 9). On one hand, this reflects that the extent of concern on this issue for certain subgroup, such as those not in employment, might be relatively low. On the other hand, it indicates that overall the public is still not quite aware of the CWH plan proposed. The government needs to make more publicity efforts to promote the plan.

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