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Mr. YEUNG Ka-sing, JP
Chairman
Standing Commission on Civil Service Salaries
and Conditions of Service
c/o Joint Secretariat for the Advisory Bodies on
Civil Service and Judicial Salaries and Conditions of Service
Room 701 7/F
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Dear 

Review of Job-related Allowances (JRAs)

At the invitation of the Administration, the Standing Commission has carried out a review of the JRAs payable to civilian grades and has set out its recommendations in its report of June 2000. We have since given careful consideration to the Standing Commission's recommendations, and have consulted staff, departmental management as well as member of the Legislative Council on how best to take forward the review recommendations. I am writing to advise you of the Administration's decision on the matter.

Broad Considerations

Under the existing civil service pay system, JRA is a supplementary payment to compensate staff for carrying out certain extra duties which have not been reflected in their pay scales. The JRA review conducted by the Standing Commission in 1999 had proceeded on this basis. Subsequently, the Administration decided in December 2001 to embark on a comprehensive review of our civil service pay policy and system. In its

Phase One Final Report released on 20 September 2002, the Task Force on Review of Civil Service Pay Policy and System has proposed among others that in the medium term, consolidation of JRAs into base pay should be adopted as a target, as part of a move towards a "clean wage" policy in the long run. The Administration has yet to take a decision on this recommendation and it is premature at this stage to speculate whether the JRA system will undergo any major changes in the foreseeable future. Meanwhile, we recognise that there is room for improvement in the administration of the existing JRA system in order to better ensure that only justified allowances should continue to be paid.

In view of the foregoing, we consider it appropriate to focus at this stage on measures which would improve on the administrative efficiency of the JRA system while broadly maintaining the existing framework of the JRA system. Fundamental changes to the JRA system would be considered in the context of the comprehensive civil service pay policy review.

JRA Principles

Lowering of the eligibility cut-off level

The Standing Commission has recommended that the eligibility cut-off point for JRAs, currently at MPS 33, should be aligned with that for Overtime Allowance. We have received divergent views from the staff sides and departmental management on the recommendation. These views can be summarised as follows :-

- (a) JRA and Overtime Allowance are different in nature. While overtime work can be avoided and minimized and may be compensated by time-off, there is no alternative compensation for duties now attracting JRAs;
- (b) The extra duties which currently attract JRA payments are essentially operational, rather than management duties, and should thus continue to be suitably compensated; and
- (c) The Standing Committee has not made a similar recommendation in respect of the disciplined services. If the eligibility cut-off point for the disciplined services is not similarly lowered, this would undermine the broad consistency in approach in the administration of JRAs in civilian grades and the disciplined services.

In the light of the foregoing and the ongoing comprehensive review on civil service pay policy and system which may have an impact on the JRA system, we have on balance decided to **withhold action** on the Standing Commission's recommendation in this regard for the time being, and to revisit the matter in the context of the comprehensive review on civil service pay policy and system.

Deletion of the principle on “substantial time”

The Standing Commission has recommended to delete the principle “**JRAs should not be paid to officers unless the extra or unusual duties take up a substantial part of their time**”. Whilst we recognize the difficulty in maintaining consistency in its application across departments and the need to allow greater flexibility for departments to use JRAs as motivation for staff to achieve prompt and efficient delivery of public service, we consider that the frequency of performing the tasks in question or the time spent on them should still be valid considerations in deciding whether JRAs are payable. Moreover, based on the feedback we received during the consultation, there are concerns that deletion of the principle may result in ambiguity and arguments over whether a minor ad hoc duty should attract JRA.

We have thus decided that instead of deleting the existing principle on “substantial time”, we should **modify** it so that the duration and frequency of undertaking the extra duties in question will also be considered whilst the focus should be on service need and operational efficiency. The modified principle will thus read as follows -

“JRAs should not be payable unless the officers are required to deliver the extra or unusual duties for such duration and frequency as considered appropriate by the management in the light of service need and operational efficiency.”

Clarification of the principle on “inherent duties”

The Standing Commission has recommended that the principle on “inherent duties” should be clarified as: “**JRAs should not be paid for duties that are inherent to the department concerned. In other words, JRAs should not be paid for inherent duties performed by staff recruited directly by departments, unless the pay structure of the grades concerned is such that these duties cannot be reflected in the pay scale.**”

Based on the feedback received from staff and departmental management, we envisage that the proposed clarified principle will give rise to the following issues:

- (a) If we adopt a literal interpretation of the revised principle, all duties discharged by a department might be regarded as duties inherent to the department with the result that practically all JRAs currently payable to departmental and common grade staff would have to cease;
- (b) While common grades staff directly recruited by departments should be aware of their duties and work environment, the fact remains that common grades in different departments share the same pay scale, which may not have taken account of various department-specific duties. The concerned department is, however, not at liberty to adjust the pay scales of the common grade staff within its preview;

- (c) Adoption of the recommended principle might lead to demands for an immediate review of the pay scales of the concerned common grades. We do not consider it appropriate, while the comprehensive review on civil service pay policy and system is still underway, to embark on a review of the pay scales of selected grades; and
- (d) The proposed arrangement may lead to difficulty in staff deployment in that common grade staff might be reluctant to take up positions which involve the discharge of responsibilities that are perceived to be over and above what is normally required of the specified grade/rank.

In view of the foregoing, we consider that we should **clarify** the term “inherent duties” in the existing principle to refer to those duties normally expected of the concerned grade/rank having regard to the nature of the department concerned. The revised principle would read as follows -

“JRAs should not be paid for inherent duties of the concerned grade and rank unless the pay structure of the grade/rank concerned is such that these duties cannot be reflected in the pay scale.”

We should emphasise that the normal duties expected of the grades/ranks concerned should evolve with time to take account of developments such as advancement in technology and improvements in the department’s service delivery.

A list of the revised JRA principles applicable to the civilian grades is at the
— **Annex.**

JRA Categorisation, Rate-Setting Mechanism, Moratorium for review of individual JRAs and Future Monitoring Mechanism

In order to improve and streamline the existing administration of JRAs, we agree to the Standing Commission’s recommendations on the categorization of JRAs, the rate-setting mechanism and the imposition of a six-month moratorium to facilitate the review of individual JRAs payable to the civilian staff (except Shift Duty Allowance and Typhoon/Rainstorm Black Warning Allowance). In future, all JRAs payable to the civilian staff which are considered justified by the concerned heads of departments have to be approved by the Civil Service Bureau on a time-limited basis, subject to further review and re-approval by the end of the specified period. We shall launch the six-month moratorium for JRAs of the civilian grades on 1 December 2002 so that the review of individual JRAs may proceed as soon as possible.

We shall inform staff and departmental management of the Administration’s decision on the JRA review this afternoon. I shall keep the Standing Commission posted on the outcome of the review of individual JRAs during the moratorium.

In closing, I wish to take the opportunity to thank you and the members of the Standing Commission for your time and effort in conducting the JRA review. I hope we can continue to count on your support in future.

Yours sincerely,



(Joseph W P WONG)
Secretary for the Civil Service

c.c. Chairman, Standing Committee on Disciplined Services Salaries and Conditions of Services
Secretary General, Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service

Principles Governing Job-Related Allowances payable to Civilian Grades

- (a) Eligibility for JRAs should be determined by reference to a cut-off point at MPS 33. Members of the administrative and professional grades should not be eligible for JRAs.
- (b) JRAs should not be payable unless the officers are required to deliver the extra or unusual duties for such duration and frequency as considered appropriate by the management in the light of service need and operational efficiency.
- (c) JRAs should not be paid for inherent duties of the concerned grade and rank unless the pay structure of the grade/rank concerned is such that these duties cannot be reflected in the pay scale.
- (d) JRAs should not be paid for changes in duties resulting from the introduction of new technology or improvements in operation methods.
- (e) JRAs should not be paid simply for the acquisition or possession of a skill or qualification. Where an officer is called upon to make use of an extra skill or qualification in the course of his work, consideration should be given to the payment of an allowance only if this happens reasonably often.
- (f) Where officers are regularly required to spend more than 50% of their time on extra duties for which allowances are paid, the posts concerned should be reviewed to determine whether it would be appropriate and practicable to regrade them, to revise the job descriptions of the posts, to schedule staff to fill these posts in rotation or to continue to pay the allowances.
- (g) Where JRAs are justified, they may be paid to officers on a continuing basis if the adjustment of their pay scales is not cost-effective and the regrading of posts or the rotation of staff to fill the posts is not practicable.
- (h) Multiple allowances should not be paid unless each of the individual allowances can be independently justified as being in accordance with the principles and criteria applicable to that allowance.