

THE CHINESE UNIVERSITY OF HONG KONG

Outsourcing Policy in CUHK

(Abridged Version for the Web)

1. The Chinese University of Hong Kong (CUHK), as a publicly-funded institution and a good and responsible employer, strives to provide a safe and healthy working environment to its employees. In some circumstances where outsourcing of services may be necessary, the University commits to exercising due care in considering the outsourcing proposals and putting in place proper mechanism to select and monitor the performance of the contractors, whose workers also deserve fair compensation and treatment.

Guiding principles governing outsourcing of services

2. The following are some general principles guiding outsourcing of services:

- (i) The University attaches great importance to social justice and social responsibility, and outsourcing of services will be considered in those lights and attempt will be made to keep outsourcing to a minimum as far as possible, especially if such will jeopardize existing staff employed in a certain position.
- (ii) In order for the University to focus on its core mission of education and research, and to be accountable for the use of public money, it will not be entirely practicable for the University not to *consider* outsourcing certain supporting activities or services, especially a) those requiring access to special expertise, skills, facilities and technology, or b) those requiring flexibility in service delivery.
- (iii) The University endeavours to exercise due care in considering outsourcing of services, especially for cleaning and security services involving non-skilled labour, and will explore measures to facilitate the engagement of social enterprises where appropriate for the provision of such services.
- (iv) It is necessary to maintain a balance between upholding social justice and public accountability, with cost-effectiveness in service delivery being one of the considerations. Cost reduction and efficiency, however, should not be the sole reasons for considering outsourcing. It should be noted that in some cases, direct employment may be a more cost-effective form of engagement of services than outsourcing.

3. The above guiding principles should be communicated to all Faculty Deans, College Heads/Masters, Department Chairmen and Unit Heads, as well as staff and students of the University community for information. It is however acknowledged that the considerations for outsourcing vary across Departments/Units, and the ultimate decision of whether to outsource or not has to be made on a case-by-case basis by the University taking into account all relevant factors.

Criteria for selection of contractors

4. The procedures for selection of contractors should be open, fair and transparent, so as to allow the participation of any interested service providers. Apart from considering the usual criteria such as meeting the specified service requirements, and reasonable costs as determined through the quotation/tendering procedures, the following criteria be taken into account and where applicable, appropriately reflected in the tendering/contractual documents:

- (i) The contractors should provide fair compensation package to the workers which reflects market value, and with proper terms and conditions meeting statutory requirements. For example, caterers should include meal time and statutory rest days for their employees as paid working hours. Preference may be given to those who provide better terms and conditions exceeding baseline requirements, and contractors which uphold their social responsibility in their business practices.
- (ii) The contractors should endeavour to maintain a harmonious labour relation and safeguard labour rights of the outsourced workers.
- (iii) Proven track record of the contractors (e.g. reputation in the business, labour relations, past conviction records) should be properly declared and made available upon request.
- (iv) The contractors should commit to the green policies (e.g. sustainability policy, environmental policy, energy policy and green purchasing policy) adopted by the University.
- (v) With commitment to the following code of conduct:
 - (a) The contractors should commit to conducting their businesses in an ethical manner, and be accountable, transparent and reputable in the business practices.
 - (b) The contractors should observe the fundamental principles of human rights and equal opportunities, and not be involved in any form of discrimination in hiring and employment practices.
 - (c) The contractors should provide a safe and healthy working environment to the employees with appropriate training.
 - (d) The contractors should treat employees with respect and not engage in any form of exploitation of employees.
 - (e) The contractors should affirm freedom of expression and association by employees, and provide communication channels to engage their views appropriately.
 - (f) The contractors should hold subcontractors responsible for the same code of conduct.

香港中文大學

香港中文大學外判政策

(網上節錄版)

1. 香港中文大學(下稱「大學」)作為一個政府資助機構及負責任的僱主，致力為僱員提供一個安全及健康的工作環境。在有需要外判的情況下，大學會審慎考慮外判方案，並訂立適當機制以遴選及監察承辦商的服務表現。承辦商的員工亦應獲得合理薪酬和待遇。

外判的指導原則

2. 下列為外判指導原則：

- (i) 大學重視社會公義及責任，會審慎考慮應否外判，並盡量將外判減至最少，特別是有關外判對現職僱員聘任的影響。
- (ii) 大學核心使命為教育和研究，有責任適當地運用公帑。如要大學完全不考慮外判某些支援服務實際上並不可行，尤其是 a) 涉及專門知識、技能、設備和技術的服務；或 b) 需要彈性提供的服務。
- (iii) 大學會小心考慮外判，尤其是清潔及保安等涉及非技術勞工的服務。大學亦會探討促進社會企業提供相關服務的措施。
- (iv) 大學必須在維持社會公義與公共責任之間取得平衡，而提供服務的成本效益為其中的考慮。然而，減省成本和增加效率不應是大學考慮外判的唯一因素。在某些情況下，直接聘用員工可能比外判更具成本效益。

3. 上述指導原則供各學院院長、書院院長、學系系主任、部門主管、全體教職員和同學參考，惟外判的最終決定會因應各學系/部門不同的考慮，由大學按個別情況及所有相關因素決定。

遴選承辦商準則

4. 大學遴選承辦商的過程秉持公平、公正、公開之原則，任何有興趣的承辦商均可參與。投標過程除考慮服務條款及收費外，招標/合約文件亦要適當反映下列準則：

- (i) 承辦商應提供反映市場情況的合理薪酬以及符合法例規定的勞工福利予其員工。例如飯堂承辦商應安排僱員獲得有薪用膳時間和法定休息日。履行社會責任及能夠提供更完善僱員福利的承辦商可獲優先考慮。
- (ii) 承辦商應致力維持和諧的勞資關係和保障其僱員的勞工權益。
- (iii) 承辦商應正確申報和因應要求提供過往的表現紀錄（例如營商信譽、勞資關係及以往定罪紀錄）。
- (iv) 承辦商應致力遵守大學採納的綠色政策（例如可持續發展政策、環保政策、能源政策和綠色採購政策）。
- (v) 致力遵守以下行為守則：
 - (a) 承辦商應致力秉持商業操守及採取負責、公開和具良好聲譽的經營手法。
 - (b) 承辦商應遵守基本人權及平等機會的原則，並在招聘和僱傭安排上避免涉及任何形式的歧視。
 - (c) 承辦商應提供一個安全和健康的工作環境予其僱員，並安排適當的培訓。
 - (d) 承辦商應尊重及保障僱員不被剝削。
 - (e) 承辦商應確保僱員有言論自由和成立員工組織的權利，並提供適當的溝通渠道以便僱員表達意見。
 - (f) 由承辦商委任的分判商亦應致力遵守此行為守則。

外判工友熱線

*Hotline for
outsourced workers*

3943-1795

外判工友熱線

在中文大學工作的外判工友如需就其僱傭或工作安全事宜向大學尋求協助，歡迎在辦公時間致電大學人事處所設之外判工友熱線 3943-1795。

Hotline for outsourced workers

A hotline for outsourced workers has been set up at the Personnel Office of CUHK. Outsourced workers who wish to seek assistance from the University on employment or work safety issues are welcome to call the hotline at 3943-1795 during office hours.

