

Hong Kong dockers: strikers take 9.8% pay offer

Friday 19 July 2013, by [SIU Beatrice](#) (Date first published: 7 May 2013).

It's back to work for hundreds of dockers after the longest strike since the handover. After 40 days on the streets, 90 percent of the strikers voted to accept a 9.8 percent "last offer" pay rise from contractors - half of what they originally demanded.

The strike's end came two hours after the High Court reiterated the right of the dockers to protest outside the Cheung Kong Center in Central but ordered them to remove structures attached to the building.

Strikers targeted the building as port operator Hongkong International Terminals is owned by Hutchison Whampoa, controlled by Li Ka-shing.

Unionists said it will take a few days to liaise on the back-to-work arrangements but everything should return to normal by next week. Union of Hong Kong Dockers spokesman Stanley Ho Wai-hong described it was a "half- full glass" victory.

The vote was taken after the four contractors - Everbest Port Services, ComCheung Human Resources, Lem Wing Transportation and Pui Kee Stevedore - jointly wrote to the Labour Department pledging that all workers including the strikers will receive the 9.8 percent hike.

"For many years, companies only made oral promises. Since this is now in black and white we have agreed to accept the proposal," Ho said. "Contractors have taken a step forward though we, as a union, have lost the power to negotiate as the contractors and HIT seem unwilling to recognize us." "The dockers have created history and the terminal will no longer be a dark working area. We will keep fighting for more improvements in the future."

The contractors also promised not to hold the strikers responsible, and to provide appropriate breaks for meals and the toilet.

A Pui Kee container worker named Ng said he voted for the deal even though he was unhappy with the 9.8 percent pay hike. "I am not okay with the pay and the contractors are playing tactics, but I truly wanted the strike to end."

A crane operator named Cho from the now defunct Global Stevedoring Service said he was one of the 10 percent who voted against accepting the offer as it was far less than what he expected.

Earlier the High Court extended an injunction against the dockers barring them from entering the Cheung Kong Center and ordered them to remove certain temporary structures. But Justice Godfrey Lam Wan-ho rejected the injunction bid of Turbo Top, a subsidiary of Hutchison Whampoa.

"I decline to grant any further interlocutory injunction at this stage as sought by the plaintiff by its amended summons except a limited interlocutory injunction for the removal of temporary structures, and to prevent obstruction ... along the pedestrian walkway on Queen's Road Central near the steps to the upper ground floor," Lam ruled.

He also rejected the submission that Cheung Kong Center is neither a place where strikers work nor did business, adding the location of demonstration "has particular significance to the defendants."

He added: "There is no suggestion that the activities of the defendants are likely to intimidate anyone, to obstruct the approach to or egress from the building or the lot, or to lead to a breach of the peace."

Also, although the lot is co-owned by Turbo and the Financial Secretary Incorporated, Lam said it does not mean the public has no license to use the open space. But Lam said the public walkway at Queen's Road Central is narrow and the pedestrian traffic is often busy.

"Taking into account the interests of the public, I consider that pending the trial the balance lies in favor of clearing that area from tents and canopies."

He added that he will order a speedy trial and give the necessary directions.

Unionist Lee Cheuk-yan said the judgment has affirmed Hongkongers' right of protest.

Hutchison Whampoa welcomed the court decision, saying it respected the freedom of speech and peaceful expression of ideas. "Regretfully, the actions of the protesters have become an intolerable nuisance and disrupted the business activities of the users of the Cheung Kong Center."

HIT said the solution is beneficial to all parties involved. It has also communicated with its contractors and urged them to recruit the ex-Global crane operators.

Secretary for Labour and Welfare Matthew Cheung Kin-chung said he was glad that four contractors have provided a written assurance to the Commissioner for Labour to confirm their pay increase package.

Beatrice Siu, Tuesday, May 07, 2013

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