EDITORIAL

The major topics of discussions in this issue of ASA Newsletter centre on the consent letter for salary adjustments, the revised roles and responsibilities of Deans, "Special Conditions" in the new contracts of employment, and the hotly debated topic on the possible merger of CUHK and HKUST. While members may enjoy reading the arguments put forward by our former VC and colleagues on the issue of salary cuts, it is perhaps time to put this issue behind us and to focus on the other three, which are also of serious concern to us. The equitable and fair treatment of all colleagues is a principle that all of us cherish and must be upheld when contracts of employment are signed. If our university is to maintain and enhance its reputation as great university in the region and in the world, it must create an academically stimulating environment in which young colleagues can develop a reputation for excellent research and teaching. Special conditions in the contract of employment that deprive the rights of colleagues from the first day they join the University are damaging and demoralising. Concerning the last issue, it is an inevitable consequence of the over-expansion of higher education of Hong Kong that such mergers will be proposed. One does not need a crystal ball to predict that the worst is still to come. We need to be vigilant and ensure that UGC and Government do not force mergers and privatisations onto the Institutions.

Members may have noticed from the cover page that we have moved the ASA website to http://www.hku.hk/asahku. Members are most welcome to surf the new site and give comments on its presentation and contents. To continuously improve the appearance and contents of the pages, ASA always needs your expert advice and efforts.

L K Chu Tel: (852) 2859 2590, Fax: (852) 2858 6535, Email: lkchu@hkuec.hku.hk
From the Chairman

Welcome to Professor Lap-Chee Tsui, Vice-Chancellor
I wish to take this opportunity, on behalf of the ASA, to welcome Professor Tsui, the new Vice-Chancellor who took up the post on 1st September. I hope the University is now entering a new phase, and that we can look forward to a brighter and exciting future. The new Vice-Chancellor has mentioned in a number of occasions that he wishes to have a more open administration and better communications with staff. Undoubtedly, this is a step in the right direction in boosting staff morale which has been declining for some time. However, a lot of work still has to be done. Staff contract renewal, transferring from contract to substantive terms, promotions, and research funding are just a few outstanding problems that are of direct concern to us. The new funding model, the increasing power of the Deans, the opaque student admission policy, and the confusing RPG quota system are also problems that concern us, and that will sooner or later affect the future performance of the University in various respects. We hope to meet soon with the new Vice-Chancellor and to discuss these issues with him in greater depth.

Special Conditions on Staff Contracts
The ASA is concerned that the University has started to introduce "Special Conditions" in the new contracts of employment that are designed specifically for selected staff. These Special Conditions are often found to be unfair and unwarranted. The ASA strongly believes that such conditions should not be part of the contract. Any special requirements for staff should be handled through properly agreed means, such as formative and summative reviews. Otherwise, it gives the impression that the University has failed to apply terms and conditions approved by the Council fairly and to all staff across the University. Further, it will create poor employer-employee relations and lower staff morale. The ASA will pursue this issue further and members will be informed of the progress in due course.

The Changing Role of UGC
Members may be aware that the UGC has requested the eight tertiary institutions to provide a status report on the number of staff who have given consent to the pay cut, and also for those who have not done so. Presumably the UGC wants to compare the status reports from the various institutions. This gives the strong impression that the UGC has been the prime mover behind the whole exercise. It is regrettable that the UGC has once again chosen to intrude into the autonomy of the universities.

Interference of Institution Autonomy
The Secretary for Education recently announced the merger of the Chinese University of Hong Kong and the Hong Kong University of Science and Technology. The decision on whether or not to merge should come from the universities concerned, not from a government official. This is a clear case of Government intrusion into the autonomy of universities - similar to the Robert Chung incident that occurred two years ago, though this time more serious. The Secretary was very serious when he announced the merger. He warned that staff must have good reasons if they were to object to the merger, otherwise they would be dealt with seriously, including sending in his "soldiers". After the announcement, the two universities have decided to set up committees to consider the merger. It is now clear that the merger is Government led. The best way forward is to postpone the discussions until the Secretary apologises publicly for his unwarranted intrusion into institution autonomy.

We are also concerned that the Secretary suggested that HKU become a private university, without giving any reasons, and without even consulting the University, staff, students and alumni of the University. Events like these suggest that it is high time that we need to produce a blueprint for the development of higher education in Hong Kong. We propose this task is to be urgently undertaken by a new Council on Higher Education Development, which will include representation from the Federation of Hong Kong Higher Education Staff Associations.

C. W. Chan
18th October 2002
Email Message from Chairman to Members on Salary Adjustment on 2 July 2002

Dear Member,

The Vice-Chancellor has recently written to us regarding a possible salary adjustment, and urging staff to sign a letter of consent, which will be sent to us shortly. We regret this action, especially since neither the ASA nor the Conditions of Service Committee have been consulted.

We have written a letter to the Vice-Chancellor, a copy of which is attached. Our view is that any adjustment in our salary should be in-line with the civil service and in accordance the current linked salary system. A salary adjustment should only be made after the civil service salary adjustment dispute is settled. We also support the resolution of the civil service to have their pay adjustment adjudicated by an independent panel.

We urge the University to discuss this issue with the ASA, and not to request individual staff to sign a letter of consent. We also wish to liaise with the University in ascertaining the impact of a downward salary adjustment on the STBS and accumulated long leave.

We shall inform you any progress in our discussions with the University as soon as possible.

With best regards,

C. W. Chan
ASA Chairman

Professor W. I. R. Davies
Vice-Chancellor
The University of Hong Kong
27th June 2002

Dear Professor Davies,

Salary Adjustment

With reference to your letter of 21st June 2002 to all staff members concerning a possible salary adjustment in the University, we are very surprised that neither the ASA nor the Condition of Services Committee was consulted before the announcement.

The view of the ASA on any salary adjustment is that it should be in-line with the civil service in accordance of the current linked salary system. Therefore any adjustment to salaries should only be considered after the salary adjustment for the civil service is settled. We also support the resolution of the civil service to have the proposed pay adjustments adjudicated by an independent panel.

It is not the University policy to request staff to sign a letter of consent for an increase in their salary, as it is generally understood that such upward revisions are acceptable to all staff. Similarly, we do not see any good reasons for doing it now, as staff should not be asked to sign anything that is detrimental to their conditions of employment. We respectfully urge you to discuss this matter and its impact on the STBS and the long leave benefits with us, and not to send the consent letter to staff.

Your early reply would be most appreciated.

Yours sincerely,

Dr. C. W. Chan
Chairman of ASA
Members wrote

1 I am very puzzled by the Administration's request for signing a consent letter on salary adjustment. What is the reason of requiring this? What is the consequence of not signing? Would that mean that the staff's salary will not be adjusted but his/her name black-listed? I hope ASA can clarify this for me at some point of its contact with the Administration. May be, we should ask legal advise on the legality and the legal consequences of signing or not signing the letter.

2 Thanks for the message. I wish to let you know my private feelings about the issue of salaries, as an ex-civil servant who has given up a pensionable job and pension earned on joining HKU some 13 years ago.

I am wondering if colleagues in the university have ever considered the likelihood that an adjustment on a par with Civil Service pay cut, which is reasonable as it seems in the interest of the community, would have a much greater real impact on the overall employment packages of superannuable and contract staff in campus, taking into account the differences in retirement benefits under two different systems. Civil servants generally earn pensions whereas those on superannuation or contract only terminal payment in one lump sum. Retired university teachers have more worries about money in this world should they live longer.

Any salary increase in pensionable civil service pay would not benefit those on superannuation or contract terms (such as those employed as teachers and administrators at HKU) as much but any cut would harm the latter more due to the factor of pension (which is payable for life for the pensionable male employee and, after he dies, his surviving spouse).

To reflect our fuller and better views on salary policy, we need the assistance from someone good at figures to undertake this exercise: to work out the exact financial impact on the overall packages of employment for teachers and administrators (all other categories of staff) under various kinds of appointment.

An additional consideration in this exercise is that the career ladder of teachers, compared to civil servants at professional ranks, is highly compressed for the level of education they receive. Furthermore, university teachers often start their teaching career much later than civil servants of similar ranks due to longer education the former have to receive.

These objective factors point to the conclusion that university staff is generally less well paid than civil servants. These factors should be something significant in public sector pay review but have apparently been ignored in the discussion of "linking" or "de-linking".

Let us put better considered views to government.

3 A formal copy of the letter could also go to the VC designate, Prof Lap-Chi Tsui, since this old wine is set for the entertainment of the new bottle.

4 I have months of "frozen long leave", which, according to the terms, will be paid when I leave the university at the rate of the last month's salary. I am very concerned about the likely adverse impact of any downward adjustment of the monthly salary on the eventual value of the "frozen long leave". Please do raise this issue at suitable occasions. Thank you for the great work.

Email Message to Members on 10 July 2002

Dear All,

The reply of the VC to my earlier letter urging him not to send the consent letters on salary adjustment to our members is attached. The tone of his reply is unfortunately rather negative. Our reply to his letter is also attached, in which we formally request a meeting to discuss the salary adjustment and other related issues.

Regards,

CW Chan
Dr. C.W. Chan  
Chairman  
ASA.

Dear Dr. Chan,

Potential Salary Reductions

I am in receipt of your letter of June 27, 2002 on this matter.

Whilst I understand the sentiments upon which your comments and queries are founded, I can only ask you to read once again the e-mail I sent to all members of staff on June 26, 2002. I had hoped that this made clear the following facts:

• Once the civil service reduction has the approval of the legislature, the government funding for the subvented sector which is linked with civil service pay will be reduced accordingly.

• The UGC has informed me that in this event the Block Grant funding to HKU will be reduced by an appropriate percentage on October 1, 2002.

• The efforts made by the Heads of Institutions to point out the differences between the civil service and the universities over the means of coping with such a reduction have thus far produced no change in the government’s position.

• The general subvention principle that the terms of service for subvented staff should be no better than those of comparable civil service ranks is expected to be applied by the University.

• If and when this cut in Block Grant eventuates, the University will have to either find monies from its non-salaries budgets to sustain the salaries of those who did not consent to a salary reduction, or explore practicable alternatives.
My letter was to fulfill the obligation I felt was on my shoulders to let all those who might be affected know exactly what is the current state-of-play. I also considered it essential for me to make clear the deleterious effects there will be upon our funds for teaching and research if they have to be diverted to the salaries budgets. Resources for the educational processes have, as your membership will be aware, already been affected by the 12% reduction on a FTE basis in the Block Grant funding from the UGC which has occurred over the short space of the last four years.

I fear I am simply not in a position to ‘negotiate’ as such over this – I did not, after all make the decisions and I am to all intents and purposes but the messenger for the decisions of the Administration. I have not, as you imply, said that the salary adjustment will take place; on the contrary my letter clearly stated it would occur only ‘... once the approval of the legislature is forthcoming on the civil service pay reductions.’

You are wrong to suggest in your recent e-mail to your members that I am ‘... urging staff to sign a letter of consent ...’. I have done no such thing. I have informed everyone of the likely consequences upon our education budgets of members of staff engaging in prolonged disputes over salary reductions. My own conviction is that the implications for the University and for the community require each and every member of staff to consider carefully the options that lie before them. That is what I asked of my colleagues, and my request was essentially that the good of the community of Hong Kong and the good image and ethos of its pre-eminent university be the guiding sentiments in making their decisions.

I am sure that both the Human Resource Section and the Finance and Enterprises Office will be perfectly prepared to take up the queries you raise on Long leave and the STBS. In relation to pay reductions, normal processes for handling remuneration matters, involving the University Joint Salaries Committee externally and the Conditions of Service Committee internally, will be followed. I raised the point about the form of consent as, if the cut is indeed enacted in 2002, the University has to act in strict compliance with the provisions and requirements of the Employment Ordinance.

I thank you for making it clear that your Association wishes to see that salary adjustments do in fact fall in line with those made within the civil service. When the outcome of the Legislative Council debate is know, the way forward will be clearer in the light of this assurance you have given.

Yours sincerely,

[Signature]

Professor W.I.R. Davies
Vice-Chancellor
Professor W. I. R. Davies  
Vice-Chancellor  
The University of Hong Kong  

8th July 2002

Dear Professor Davies,

Salary Adjustment

I wish to refer to your letter of 2nd July 2002, in which you began the letter by suggesting that your e-mail of 26th June 2002 to staff should be read once again. As you have not clarified which are the points I overlooked, and you did not reply to our request for a discussion on the salary adjustment and related issues, it gave me the unfortunate impression that you are trying to avoid the issues.

I am a little surprised you stated in your letter that “... and I am to all intents and purposes but the messenger for the decisions of the Administration”, since one would have thought you are the Head of the Administration in the University.

We are also concerned that you stated in your letter of 2nd July that “... the University will have to either find monies from its non-salaries budgets to sustain the salaries of those who did not consent to a salary reduction, or explore practicable alternatives.” Does it imply that those who do not sign the consent letter will not have their salaries adjusted? And what are the practical alternatives that the University is going to consider to resolve this problem?

It is stipulated in the Employment Ordinance that any changes in the conditions of employment require the agreement of both the employees and the employer, including salary increases. It is because staff are less likely to object to salaries increases, they have not been asked to signed consent letters in the past. This is a reasonable and acceptable practice. While on this topic I wish to remind you that the detrimental amendment to the STBS in 1996 was unilateral made by the Administration of the University, since it did not have the consent of ALL staff.

Whether we use the word “request”, “urge”, “encourage” or even “suggest” is not significant. What is important is that you have expresses the “request” to staff in so many words, and the general tone of your e-mail is clear to those who read it.

We are extremely disappointed that our request for consultation and discussion is flatly denied as “non-negotiable”, and only as “queries”. The communication between staff and the University has been bad, and this is another example of how bad it really is.

As you appear to be reluctant to formally initiate a discussion, I wish to request a meeting with you and your colleagues as soon as possible to discuss the salary adjustment issue and its impact on the STBS and the long leave benefits.

Looking forward to your early reply.

Yours Sincerely,

C. W. Chan  
ASA Chairman
Email Message from Chairman to Members on Letter of Consent for Salary Adjustment on 20 August 2002

Dear Member,

By now you would have received documents from the University inviting you to sign a written agreement to cut your salary.

The ASA recognizes that our salaries are linked to the civil service. This view was clearly expressed to the Vice-Chancellor in our two letters sent to him recently. We informed him that the University should follow the same procedure as when our salaries were adjusted upward in-line with the civil service. We also pointed out that according to the Employment Ordinance, any changes in our employment conditions, including salaries increases, would require the consent of employees concerned.

Our advice to Members is to accept salaries adjustments that are in-line with the civil service, but not to sign the consent form.

As an employment contract cannot be changed unilaterally, it is thus possible that some member(s) may take the University to court. If the court decision goes against the University, the ASA would expect the University to be fair to all staff and to restore all salaries to the levels before the salaries reduction, irrespective of whether members have signed the consent form or not.

Dr C W Chan
ASA Chairman

Members wrote:

1. I am happy to see that the ASA is advising its members not signing the consent form.

   There is no explicit assurance from the VC's letter that the university is not going to treat staffs who has and has not signed the consent form differently. Time points of interest are September 12, day that someone sue the university, and day that the case is settled. In the last paragraph of your letter, you expect equal treatment from the university after time point three but I would not expect equal treatment in any of the four time intervals punctuated by the three time points.

   Thank you kindly for steering the ASA through difficult times.

2. Hi - just got back from long leave and saw your note advising members not to sign the salary cut consent form. Just wondered why.

   Your note suggests

   1. we "accept" the adjustment but not sign the consent form. How will we then indicate our acceptance?
   2. that any restitution will probably be made regardless of whether or not we have signed that form - so why not sign it then?

   Your note doesn't explain WHY we should not sign the consent form.
   My tel. is xxxx - can we chat briefly about this?
I like to know the standpoint of the ASA towards the salary-cut and the letter of agreement sent by the University to every staff.

What does the ASA recommend its members to do (sign or not sign) and which support does the ASA offer its members?

Thank you for your reply to my questions. However, the following is not clear: Your "advice to Members is to accept salaries adjustments [...] but not to sign the consent form."

How can I do that? How can I accept the salaries adjustment without signing its form?

Does the ASA support its members, who have not signed the form, against any actions taken by the HKU?

Some of my colleagues and myself have a question concerning your advice. You advised us to accept salaries adjustments that are in-line with the civil service, but not to sign the consent form. But how could we indicate to the administration that we accept the salaries adjustment if we do not sign the consent form? What is not clear to us is that without signing the consent form, could the administration adjust our salaries downward (they did it when they raised our salaries)?

We look forward to receiving the clarification on our question.

Reply from Chairman
We accept salary adjustments that are in-line with the civil service. When the salary is adjusted upwards, we have not signed any consent form agreeing to the salary adjustment. But we accept by not complaining the adjustment. When the salary is adjusted downward, we do the same. As long as the salary adjustment is in-line with that of the civil service, we do not complain. However, members should check to see whether their salary adjustment to see whether it is in-line with the salary adjustment.

It is not necessary that an agreement must be signed.
Professor W. I. R. Davies  
Vice-Chancellor  
The University of Hong Kong

20th August 2002

Dear Professor Davies,

Salary Adjustment

It has been brought to our attention that a rumour is circulating that staff on contract terms will have their salaries cut in half if they refuse to sign the salary reduction consent form. Though this is unlikely to be University policy, we would, nonetheless, be most grateful to have your assurance that this is not the case. We would also appreciate an assurance that there will not be any adverse impact on the contract renewal and promotion of those staff who will not sign the consent form.

Your early reply would be most appreciated.

Yours sincerely,

C. W. Chan  
Chairman of ASA
Dr. C.W. Chan
Chairman
Academic Staff Association

Dear Dr. Chan,

The Vice-Chancellor asks that I reply direct to your letter of August 20, 2002.

Briefly:

1. There is no truth in the rumour you have heard;

2. University appointees are asked to sign the consent form to ensure compliance with the Employment Ordinance; and

3. The consent form relates to the pay-cut to be implemented from October 1, 2002. This is unrelated to other terms of appointments.

Yours sincerely,

Violet Tang
Head
Human Resource Section

VT/my
Email Message from Chairman to Members on VC's Email on 23 August 2002

Dear Member,

In connection with the email: "IMPORTANT message from Vice-Chancellor", I would like to make the following comments. In the e-mail, the VC referred to an article published in the South China Morning Post on 21st August 2002, which is attached to this e-mail for ease of reference.

In the VC's email, he stated that "... in the media a report that seems to emanate from the Chairman of the Academic Staff Association concerning ...". I am not too sure how he came to this conclusion. After sending letters to all staff outlining his views, it is difficult to understand how he can pinpoint the blame to a particular person for the "leak". If he arrived at this conclusion simply because my name was quoted in the news article, then one could also conclude that the report may "seem to emanate" from the Vice-Chancellor himself, since his name was also mentioned.

The VC appears to be more concerned as to whether staff will sign the consent forms than about the anxieties that staff have over issues such as the impact of the pay cut on the STBS, long leave benefits, and the consequence of not signing the consent forms.

It is hard to follow the rationale behind the two reasons given by the VC for staff to sign the consent forms. The first reason implies that unless all staff in the University have signed the consent form, the image of the University would be damaged. I think the opposite may well be the case. Whether an individual signs the consent form or not is his/her own personal decision, which the university must respect. Expecting all staff to sign the consent forms without being fully aware of the consequences smacks of authoritarianism. When some employers took the same action to "encourage" their staff to accept pay cuts last year, they were labeled as "heartless" and "irresponsible". The ASA does not want the University to be seen in the same light.

The second reason given by the VC for signing the consent form is that the University will need to set up a contingency fund, the size of which will depend on the number of staff who do not sign the consent form. The ASA finds this difficult to comprehend. If the university is legally required to reinstate the salaries before the cuts, the University not only has to reinstate the salaries of staff who have not signed the form, but also those staff who have. Otherwise the question of whether the university is a fair and equitable employer will arise.

Whether the university needs to set up a reserve fund for the purpose stated is a management decision that needs to be considered in the light of current policy. The University top-slices 5.5% of the University funding and the Faculties also top-slice Department funding by a similar amount. While the reserve fund for reinstateing salary cuts may never need to be used, the top-slicing by the University and the Faculties without the agreement of staff have the effect of stopping Departments from employing 174 teachers. Has the VC considered how much this cut in teachers would affect teaching in the University?
It would be naive to think that the current exercise of signing consent forms can achieve the goal of eliminating completely the possibility of lawsuits being raised by aggrieved staff. On the contrary, it may demoralize and antagonise staff into taking legal action.

The ASA's position is clear and simple: it advises members to accept salary cuts that are in-line with the civil service, but not to sign the consent form.

CW Chan
ASA Chairman

"Row over 'sign or else' form (published in SCMP 21 August 2002)

A University of Hong Kong staff union has demanded clarification on whether members will be penalised if they do not sign a consent form allowing pay cuts.

The move follows a threat by the university that refusal to give written consent to a pay cut of between 1.68 and 4.42 per cent could mean "losing staff" in the long-term due to budget considerations.

Last week, the university's council decided to adopt the civil service pay cuts being imposed in October. University staff pay is linked to civil service scales.

In a letter to the university's 5,000 staff on Monday, Vice-Chancellor Ian Davies said the cost of fighting any legal suits staff may file might lead to layoffs. "The more there are of colleagues who do not accept the reduction formally by returning the consent form, the more it is inevitable that the institution will in the longer term have to contemplate losing staff", he said.

Professor Davies warned that a $93.6 million reduction in annual government funding was equivalent to the salaries of 95 academics or 254 technicians.

At a special meeting of the university's Academic Staff Association, unionists advised members not to sign the forms. "We will accept the cut, but cannot tolerate being forced to sign this insulting document," association chairman Chan Chi-wai said.

Dr. Chan said many members of staff were worried about persecution by the university if they refused to sign forms. He said his union would write to Professor Davies for a promise this would not happen.
Mr. Peter Cheung  
Secretary-General  
University Grants Committee  
7/F., Shui On Centre  
6-8 Harbour Road  
Wan Chai  
Hong Kong  
(fax: 2845 1596)

27th August 2002

Dear Peter,

It has been brought to our attention that the UGC has requested the eight tertiary institutions to provide a status report on the number of staff who have given consent to the pay cut, and those who have yet to do so, and that the status reports would be compared. This seems to suggest that the salaries of those who do not consent will not be cut.

We would be most grateful if you can clarify the reasons for UGC to have the data from the universities, as it seems that the UGC has initiated this exercise.

We look forward to hearing from you soon.

Yours sincerely,

C. W. Chan

C. W. Chan  
ASA Chairman

cc. Vice-Chancellors/Presidents of the eight tertiary institutions
Mr C W Chan
Chairman
Academic Staff Association
The University of Hong Kong
Room 10-15, KK Leung Building
The University of Hong Kong
Pokfulam Road
Hong Kong

27 August 2002

Dear Mr Chan,

I refer to your letter of 27 August.

The correspondence between UGC and the institutions has arisen from the need for the UGC Secretariat, as the conduit for the disbursement of funds, to be in the picture as far as implementation of the salary revision is concerned. It does not carry the implication as suggested in your letter.

You will appreciate that arising out of the Civil Service salary revision and the link of our pay to that of the Civil Service, there is no way we can avoid anticipating a corresponding reduction in the subventions. In fact, due notice has been served by the Administration. It is therefore my responsibility to apprise institutions of the situation, with a specific request that they start the implementation process in good time and keep the UGC informed of progress at critical points.

I hope this clarifies the situation.

Yours sincerely,

(P T Cheung)
Secretary-General

c.c. Vice-Chancellors/Presidents of the eight tertiary institutions
Mr. Peter Cheung  
Secretary-General  
University Grants Committee  
7/F., Shui On Centre  
6-8 Harbour Road  
Wan Chai  
Hong Kong  
(fax: 2845 1596)

3rd September 2002

Dear Peter,

Thank you for your letter of 27 August 2002.

In your letter, you state that: “... the UGC Secretariat, as the conduit for the disbursement of funds, to be in the picture as far as implementation of the salary revision is concerned.” Of course the UGC has some responsibility to ensure that universities implement the salary cuts approved by the University Joint Salaries Committee.

However, we are surprised that in order, as you say, to “apprise institutions, with a specific request that they start implementation process in good time ...”, your involvement turns out to be one that requires universities to provide status reports on the number of staff who have or have not given their written consent to the pay cut. The need to report such results to UGC gives a very strong impression that UGC is forcing the universities to implement the pay cuts using this particular method. Unless UGC stops requesting such reports from the universities, it will be seen as taking a firm lead in the pay cuts implementation exercise and also infringing on the autonomy of the universities.

Our main concern is that staff are uncertain as to why their written consent are being sort. In this state of uncertainty, one can only conclude that:

a) those who do not give their written consent will be victimised, or  
b) those who do not give their written consent will not have their salaries cut.

Both of these conclusions are undesirable, the first for obvious reasons, and the second because it would produce a noxious working environment, one in which some staff did not have their salaries cut while those who in good faith signed the written agreement will have had their salaries cut.

It is clear from your letter that UGC is actively involved in the exercise. From our point of view, the best way forward would be for UGC not to request status reports from the universities on the number who have or have not given their written consent for the pay cut.

Yours sincerely,

C W Chan  
ASA Chairman

cc. Vice-Chancellors/Presidents of the eight tertiary institutions
Mr C W Chan  
ASA Chairman  
The University of Hong Kong  
Room 10-15, KK Leung Building  
Pokfulam Road  
Hong Kong

Dear Mr Chan,

I am sorry that there should have been a gap of understanding between us, which has caused you some anxiety.

My understanding of your letter of 3 September is that you have expressed a view disputing the position taken by the UGC in this matter. To this, I can only repeat what I have said in my letter of 27 August and state that your views have been noted.

Yours sincerely,

(P T Cheung)  
Secretary-General

c.c. Vice-Chancellors/Presidents of the 8 tertiary institutions
Mr. Peter Cheung  
Secretary-General  
University Grant Committee  
7/F., Shui On Centre, 6-8 Harbour Road  
Wan Chai

16th July 2002

Dear Mr. Cheung,

UGC Report on "Higher Education in Hong Kong"

The Academic Staff Association (ASA) of The University of Hong Kong, which represents the interests of academics and senior administration staff, welcomes a thorough review of the current status of the tertiary education in Hong Kong occasioned by the release of the UGC report. While some changes are overdue in view of the changing times, the proposed solutions could have effects that would further hurt staff morale. An incomplete overhaul of the governance procedures, we fear, would fall short of tackling the critical issues that have hampered the healthy development of higher education in Hong Kong.

1. The salaries de-linking proposal, apart from eroding the morale of the university staff, also gives the impression that the government is preparing to tighten salary outlays for universities. The present salary scale of chair professors is sufficiently high and flexible to recruit and retain staff of the highest standing. There is no need for additional incentives. For the rank and file administration staff in the universities whose roles and duties are similar to those in the civil service, there is no justification for the de-linking. On the downside, once the salaries are de-linked, the growing pay disparities within the university staff are likely to poison the collegial relationship and deepen the malaise.

2. The university staff is concerned with appointments and contracts, which are outside the jurisdiction of the office of the current ombudsman. An ombudsman specifically in charge of the tertiary sector will therefore work better in addressing our needs.

3. The new Ombudsman should have a broad mandate to handle staff complaints and to act in good faith to provide checks and balances vis-à-vis the university administration. Currently, staff representation on the councils of universities in Hong Kong is inadequate. Not only should staff associations be represented on councils, their roles as a bridge between staff and the university administration should be properly acknowledged.

4. We strongly urge the SAR Government to increase expenditure on research and development from a lowly level of 0.48% of Gross Domestic Product to a level comparable to our neighbouring countries, such as 2.05% in Taiwan, 1.87% in Singapore, and 0.83% in the Mainland. The goal as proposed in the report to upgrade our universities, whether a few or all, to world-class level sounds hollow, if the necessary financial support is not available.
We concur with you that this is the right moment to have an overall review of the higher education in Hong Kong. The views of the front line academics, who have the best interest of the higher education in mind, should be taken into account seriously. Their experience and professional expertise are valuable assets in formulating higher education policies. The policies, no matter how good they are, can only be effective if properly implemented with support from its stakeholders. We hope that the ASA will be actively enlisted to participate in the future development of higher education in Hong Kong.

Yours sincerely,

C. W. Chan

C. W. Chan
ASA Chairman
Dr C W Chan  
Chairman  
Academic Staff Association  
The University of Hong Kong  
Room 10-15, K.K. Leung Building  
The University of Hong Kong  
Pokfulam Road  
Hong Kong  

Dear Dr Chan,

Re: UGC Report on “Higher Education in Hong Kong”

I am writing to acknowledge with thanks receipt of your letter of 16 July 2002 conveying to the UGC the concerns and comments on the report on Higher Education in Hong Kong.

Your views and suggestions will be referred to the UGC and will be carefully taken into account when the UGC finalizes its recommendation to the Administration.

I would also like to take this opportunity to thank you for responding to the Higher Education Review and contributing to this important exercise.

Yours sincerely,

(Janet)
(Miss Janet Wong)  
for Secretary-General  
University Grants Committee
Email Message from Chairman to Members on Roles of Deans on 8 October 2002

Dear Member,

I wish to draw your attention to the revised "Role and Responsibilities of Dean of Faculty" recently approved by the Council, a copy of which can be found in the September issue of the Newsletter of the University. The ASA is concerned about the significant changes in the role and responsibilities of the Dean as stipulated in that document, especially as he/she is now given a lot of power over both academic and staffing matters in the Faculty, but no checks and balances are included in the new system. Worse still, both staff and Senate were not consulted before the proposal was put to Council for their consideration.

We wish to discuss this issue further with the University in the near future. Please send your comments on this issue to the ASA as soon as possible.

CW Chan
ASA Chairman
7/10/2002

Members wrote:

1 The new scheme has a number of merits and a number of drawbacks. The biggest is this: faculties that opt to elect their own Dean will end up with a part-time 'non-professional' Dean who will be competing for resources with full-time 'professional' Deans of other faculties. Thus faculties that elect Deans will probably be disadvantaged. Not least because the University BRC will likely prefer to deal with an individual who they have appointed, rather than with an elected part-time Dean who is answerable to a faculty. In my view, we should separate the two issues: that of a full- versus a part-time Dean, and that of an appointed versus an elected Dean. It seems to me quite illogical to expand the powers and the duties of the Dean, yet continue to allow the post to be a part-time one. The level of commitment required to doing the job properly could not be achieved by someone spending only half of their working time on it.

2 I strongly suggest that you draw this to the attention of the Niland Review panel, especially the point that the staff and Senate were not consulted, only the Council. These are precisely the issues that the Review Panel is supposed to deal with.

3 As one Faculty at the centre of this situation (we have just been unitarised), we are VERY concerned by the checks & balances problem. We have just had accepted the need for every faculty committee to have some elected members, (Typically three), and our Division Heads are elected, (but unpaid to do a LOT of extra work).
None of this would have happened without the vigilance of some long serving and mainly substantiated faculty members, as most contract staff are too nervous to speak out.

If this (HKU) is to continue as a world class and democratic institution, where government has to ask and cannot demand, we, the staff, need to ensure that a representational and non-autocratic/managerial administration is maintained. Too much riding rough-shod over autonomy and democracy is a real concern at present. Good wishes in your work.

4 I concur with the danger of conceding too much power to the Dean. The Dean should act through a governing body. In fact I think the power of the Dean should be cut rather than augmented.

5 I think changes are acceptable provided that:
   1. the changes do not override the role and responsibilities of the VC, who is the overall accountable person of HKU, and that
   2. the appointment procedure for the dean is correspondingly changed, and in no case the traditional way of election can be any longer accepted, because we all know that how internal supporting numbers can be generated, for a lot of reasons and causes, good or bad mixed, and that
   3. we can only accept good reasons PLUS the appropriate ability and external status of the dean who has to be appointed, with recruitment carried out by open advertisement.
Email Message from Chairman to Members on Special Conditions on 2 October 2002

Dear Member,

It has been brought to my attention that the University has started to introduce "Special Conditions" in the new contracts of employment. Some of these "Special Conditions" are applied only to selected staff in some faculties. Such employment conditions are often unfair and unwarranted. The ASA strongly believes that the conditions of service approved by the Council should be uniformly applied to all staff across the University. Faculty should not have their own employment policies.

The ASA is interested in obtaining further information from members on this important issue. Please contact the ASA by phone (2859 1073 or 2859 7906) or by e-mail (asahku@hkucc.hku.hk) as soon as possible. All information will be kept strictly confidential.

Yours Sincerely,
C. W. Chan
ASA Chairman
2/10/2002

Members wrote

1. I am surprised that the Council could change terms and conditions of employment without the knowledge of the university staff! May we remind council members many who are businessmen that the university is a public body and not a private company!