

Associate of employment agency convicted of overcharging foreign domestic helper

An associate of the licensee of an employment agency (EA) was convicted at Eastern Magistrates' Courts today (June 28) for overcharging a foreign domestic helper (FDH) and fined \$8,000.

From October 2018 to January 2019, the Employment Agencies Administration (EAA) of the Labour Department (LD) received complaints from nine FDHs against Philip-Indonesian Helpers Employment Limited, located in North Point, for charging them excessive commission. As investigation showed there was sufficient evidence that the EA concerned had overcharged them, the LD decided to prosecute both the licensee for overcharging the nine FDHs and an associate of the licensee for the same offence involving one of the FDHs. Philip-Indonesian Helpers Employment Limited, the licensee of the EA, was earlier convicted at the Eastern Magistrates' Courts for overcharging the nine FDHs and was fined a total of \$84,000. The Court also ordered the EA to refund the overcharged placement fee, totalling \$60,297, to the FDHs concerned. Today, the associate of the licensee was also convicted of overcharging one of the FDHs.

According to the law, a licensee or an associate of a licensee in respect of an EA, or a person purporting to act as such a licensee or associate, is not allowed to collect from a job seeker any fees or charges other than the prescribed commission, which is an amount not exceeding 10 per cent of the first month's salary of the job seeker upon successful placement.

The LD reminds EAs to operate in full compliance with the law and the Code of Practice for Employment Agencies at all times. Failure to do so may lead to prosecution and/or revocation of licence. The Employment (Amendment) Ordinance 2018, effective since February 9, 2018, has raised the maximum penalty for overcharging job seekers to a fine of \$350,000 and imprisonment for three years.

For complaints about unlicensed operation or overcharging by EAs, please call the EAA of the LD at 2115 3667, or visit its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.