

Company and directors fined and sentenced to suspended imprisonment for wage offences, non-payment of annual leave pay and default on Labour Tribunal award

Express Service Company Limited and its two directors were prosecuted by the Labour Department (LD) for failing to pay wages and annual leave pay to an employee and defaulting on the sum awarded by the Labour Tribunal (LT). The company and its directors earlier pleaded guilty at Eastern Magistrates' Courts and were sentenced today (March 13). The company was fined a total of \$26,500, while its directors were each sentenced to fourteen days' imprisonment, suspended for two years. The company and its director were also ordered to pay an outstanding sum of about \$160,000.

The company failed to pay one employee his wages and annual leave pay as required by the Employment Ordinance (EO). The company also failed to pay the employee the awarded sum of about \$160,000 within 14 days after the date set out by the terms of the LT award. The two directors were convicted for their consent, connivance or neglect in the above offences.

"The ruling helps disseminate a strong message to all employers and responsible officers of companies that they have to pay wages and termination payments to employees within the time limit stipulated in the EO and the awarded sums according to the LT or Minor Employment Claims Adjudication Board," a spokesman for the LD said.

"The LD will not tolerate these offences and will spare no effort in enforcing the law and safeguarding employees' statutory rights," the spokesman added.