

Employment agency convicted of overcharging foreign domestic helpers

A licensee and an associate of the licensee of an employment agency (EA) were convicted at the Eastern Magistrates' Courts today (December 16) of overcharging two foreign domestic helpers (FDHs) and were fined a total of \$24,000. The court also ordered the licensee of the EA to refund the excessive placement fee of \$6,659 to one of the FDHs concerned.

In May, the Employment Agencies Administration (EAA) of the Labour Department (LD) received complaints from two FDHs against Fernandez Employment Travel Service, located in North Point, about charging them excessive commission. As investigation revealed sufficient evidence that the licensee and an associate of the licensee of the EA concerned had overcharged the FDHs, the LD decided to take out prosecution against them.

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 enquiries or 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.