

LCQ1: Assistance for intermediates for foreign domestic helpers

Following is a question by the Hon Starry Lee and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (April 29):

Question :

It is learnt that in view of the global spread of the Coronavirus Disease 2019 epidemic, the Philippine and Indonesian Governments have recently suspended, one after another, the vetting and approval of their nationals' applications for working abroad as workers. It is estimated that currently, over 10 000 foreign domestic helpers (FDHs) who have been offered employment are unable to come to Hong Kong to report for duty. For the approximately 3 000 intermediaries in Hong Kong providing placement services for FDHs, not only do they suffer a heavy blow to their business due to the epidemic, but they also need to deal with considerable amount of extra work concerning epidemic prevention and quarantine for FDHs. The approximately 10 000 employees engaged by these intermediaries also face financial difficulties. In this connection, will the Government inform this Council:

(1) whether it will provide a cash subsidy or other assistance to the intermediaries to help them tide over their imminent difficulties; if so, of the details; if not, the reasons for that;

(2) as the Government has announced that it will flexibly consider applications from FDHs, whose contracts are terminated or due to expire on or before July 31 this year, for extending their limit of stay in Hong Kong as visitors to facilitate them to find new employers, but the persons-in-charge of some intermediaries have pointed out that providing free board and lodging for FDHs awaiting employment has further increased their financial burden, whether the authorities will offer support to such intermediaries and those FDHs awaiting employment; if so, of the details; if not, the reasons for that; and

(3) whether the Government will set up a dedicated department to assist the intermediaries, FDHs and their employers in dealing with issues related to epidemic prevention and quarantine for FDHs; if so, of the details; if not, the reasons for that?

Reply:

President,

Having consulted the relevant policy bureaux and departments, my consolidated response to the Member's question is set out below :

(1) and (2) The COVID-19 epidemic has brought unprecedented challenges to various trades and industries in Hong Kong (including employment agencies (EAs)). In response to the needs of the public and society, the Government launched a total of three rounds of measures since the beginning of this year to assist affected industries and the public. These include :

(i) the first round of the Anti-epidemic Fund approved by the Legislative Council (LegCo) on February 21, 2020;

(ii) the relief package in the 2020-21 Budget announced by the Financial Secretary on February 26, 2020, including reducing profits tax; waiving rates for non-domestic properties; waiving registration fees for annual returns and business registration fees; providing a subsidy to eligible non-domestic household accounts to cover electricity charges; and introducing a concessionary low-interest loan under the SME Financing Guarantee Scheme, under which a 100 per cent guarantee will be provided by the Government, etc.; and

(iii) the second round of the Anti-epidemic Fund measures approved by LegCo on April 18, 2020, including setting up an Employment Support Scheme (the Scheme also covers eligible self-employed persons) to provide wage subsidies to eligible employers for retaining their employees; enhancing the SME Financing Guarantee Scheme, including raising the maximum loan amount, increasing Government guarantee commitment, extending the "principal moratorium", etc.; and automatically extending the deadline for payment of taxes by three months, etc.

EAs may benefit from the relevant measures among the many initiatives in support of enterprises under the 2020-21 Budget and the second round of the Anti-epidemic Fund. The Government will continue to monitor the development of the epidemic and keep a close watch on its effects on various trades and industries in Hong Kong.

To assist foreign domestic helpers (FDHs) and employers to cope with the special circumstances under the COVID-19 epidemic, the Government has implemented a number of facilitation measures, including: FDHs whose existing contracts are due to expire or are terminated on or before July 31, 2020 may apply to the Immigration Department (ImmD) for extension of limit of stay as visitors in Hong Kong (for a maximum period of one month); and FDHs who have previously been approved to defer home leave upon the start of their new contract but need to further defer home leave may apply to ImmD for further extension of limit of stay for up to six months, subject to mutual agreement between FDHs and their employers. Besides, the prevailing flexible arrangement offered to FDHs and their employers remains unchanged in that if an FDH has reached an agreement with his/her existing employer to renew the contract, or has found a new employer after the expiry of his/her existing contract, the FDH may start a renewed contract with the same employer or start a contract with a new employer once ImmD's approval for the appropriate visa and home leave deferral is obtained.

In addition, the Labour Department (LD) has kept in close contact with

the relevant consulates-general in Hong Kong to keep abreast of their governments' anti-epidemic measures and the impact of these measures on sending domestic helpers to Hong Kong. It is noted that the Philippine Consulate-General has partially resumed processing of FDH employment contracts since April 27, 2020.

(3) LD has kept in close contact with the Department of Health during the epidemic to assist in matters relating to FDHs, including handling enquiries on employment matters regarding the compulsory home quarantine arrangements. LD has also, in coordination with the relevant departments, disseminated information to FDHs, employers and EAs on preventing the spread of COVID-19 in the community, including :

(i) undertaking a wide range of publicity to remind FDHs and their employers to comply with the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) and appeal to them to discuss rest day arrangements (including encouraging FDHs to stay home for rest or take their rest day on weekdays instead of on the weekend); and

(ii) issuing a press release on March 18 and 19, 2020 urging employers and EAs (if applicable) to make arrangements for FDHs undergoing compulsory home quarantine. While FDHs are expected to stay at their employers' residence, should an employer wish to arrange the FDH to stay out from his/her residence for the purpose of compulsory home quarantine, the employer should make appropriate arrangement (with his/her EA, if applicable) beforehand. The employer must comply with his/her obligations under the Standard Employment Contract, including bearing the accommodation expenses and providing food allowance to the FDH.

LD will continue to maintain close contact and cooperation with the Department of Health and other relevant departments. Should FDHs and their employers have enquiries on employment matters, they may seek LD's assistance through its dedicated email account for FDH matters (fdh-enquiry@labour.gov.hk) and the online form on its dedicated FDH portal (www.fdh.labour.gov.hk).