

Licence of employment agency revoked

A spokesman for the Labour Department (LD) today (January 24) reminded operators of employment agencies (EAs) to conduct their business in compliance with the law and the Code of Practice for EAs at all times.

The LD has recently revoked the licence of Happy J Employment Agency, an EA located in Tsuen Wan. There were severe violations of the requirements set out in the Code on the part of the EA, namely getting involved in the financial affairs of a job seeker, withholding the passport of the job seeker in order to force her to make payment or repayment to a financial institution, and failing to send a signed copy of the completed Standard Employment Contract to the job seeker as soon as practicable. Under section 53(1)(c)(iva) and section 53(1)(c)(v) of the Employment Ordinance (EO), the Commissioner for Labour may revoke the licence of an EA if he is satisfied that the licensee concerned has not complied with the Code and is not a fit and proper person to operate an EA.

"The Code sets out the salient legal requirements that EA operators must observe in operating their business, as well as the minimum standards which the Commissioner expects of EAs. The Employment (Amendment) Ordinance 2018 which came into effect on February 9, 2018 further empowered the Commissioner to refuse to issue or renew a licence, or to revoke a licence, if the licensee or the person intending to be the licensee, or a related person of or an individual employed by the licensee or the person intending to be the licensee, has contravened Part XII of the EO, such as overcharging job seekers, or if he or she has not complied with the Code," the spokesman said.

This was the seventh revocation/refusal of renewal of an EA licence since 2018. Previously, Familia Employment Agency located in Tai Po and My Friends Service Limited located in Tsuen Wan had their licences revoked after the licensees were respectively convicted of overcharging three and one job seekers. Three other EAs, namely Tin Wai Employment Company Limited located in Mong Kok and Tuen Mun, Good Family Employment Agency Company Limited located in Kennedy Town, and Galaxy Maid Employment Consultants Limited located in Central and Causeway Bay, had their licences revoked for the following reasons:

- Tin Wai Employment Company Limited: contravening the Code and providing misleading information during the inspections and enquiries of the LD;
- Good Family Employment Agency Company Limited: contravening the Code by getting involved in the financial affairs of job seekers, failing to issue payment receipts to foreign domestic helpers (FDHs), and having the management fail to closely supervise its staff; and
- Galaxy Maid Employment Consultants Limited: contravening the Code by failing to include all required items in the service agreements with FDHs and their employers, failing to keep the written confirmations from FDHs and their employers declaring that they had been briefed about their statutory rights and obligations as well as the content of the

Standard Employment Contract by the EA, and failing to keep records on the dealings with employers.

- Another EA, namely JK Company located in Mong Kok, had its licence renewal refused because its licensee had contravened the Code by failing to draw up service agreements with FDHs and their employers.

For enquiries or complaints about malpractices of EAs, please call the LD's Employment Agencies Administration at 2115 3667, or visit its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.