

Licence of employment agency revoked

A spokesman for the Labour Department (LD) today (February 28) reminded operators of employment agencies (EAs) to conduct their business in compliance with the law and the requirements of the Code of Practice for EAs (the Code) at all times.

The LD has revoked the licence of Unity Employment Limited, an EA located in Mong Kok, which failed to meet the standards set out in the Code, including getting involved in the financial affairs of job seekers, failing to draw up a service agreement with foreign domestic helpers (FDHs) and FDH employers with all required items, failing to issue payment receipts to employers with all required items, failing to provide a copy of the Standard Employment Contract (SEC) partially signed by the employers for their retention, failing to keep records relating to the dealings with job seekers and employers, and failing to keep acknowledgement receipts from FDHs and their employers declaring that they had received the publications and sample forms, and had been briefed about their statutory rights and obligations.

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 spokesman said, "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."

This is the eighth 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 job seekers. Four 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, Galaxy Maid Employment Consultants Limited located in Central and Causeway Bay, and Happy J Employment Agency located in Tsuen Wan, 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 FDHs, and having the management fail to

closely supervise its staff;

- 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 SEC by the EA, and failing to keep records on the dealings with employers; and
- Happy J Employment Agency: contravening the Code by 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 SEC to the job seeker as soon as practicable.

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.