

New Statutory Minimum Wage rate of \$37.5 takes effect today

The Statutory Minimum Wage (SMW) rate was raised from \$34.5 per hour to \$37.5 per hour with effect from today (May 1).

According to the Minimum Wage Ordinance (MWO), employees are protected by the SMW whether they are monthly-rated, daily-rated, hourly-rated, piece-rated, permanent, casual, full-time or part-time, etc, and regardless of whether or not they are employed under a continuous contract as defined in the Employment Ordinance (EO). The SMW is not applicable to live-in domestic workers (irrespective of their sex, race and nationality), student interns and work experience students as specified in the MWO, and persons to whom the EO does not apply.

The SMW also protects employees with disabilities. Special arrangement is also provided under the MWO so that employees with disabilities have the right to undergo productivity assessment to determine whether they should be remunerated at no less than the SMW rate or at a rate commensurate with their productivity. Those employees with disabilities who have chosen this special arrangement are entitled to wages of not less than the amount to be calculated according to the new SMW rate of \$37.5 per hour.

In addition, the monthly monetary cap on the requirement of employers recording the total number of hours worked by employees under the EO is raised from \$14,100 to \$15,300 with effect from today. When wages payable in respect of a wage period are less than \$15,300 per month, the employer is required to keep a record of the total number of hours worked by the employee in that wage period.

Enquiries about the SMW can be made on the 24-hour enquiry hotline 2717 1771 (handled by "1823") and during office hours at branch offices of the Labour Relations Division of the Labour Department (LD). Details of the SMW are also available on the LD's homepage (www.labour.gov.hk).