

Employment agency convicted of attempting to overcharge foreign domestic helper

A licensee and an associate of the licensee of an employment agency (EA) were convicted of attempting to overcharge a foreign domestic helper (FDH) and fined a total of \$16,000 at the Eastern Magistrates' Courts today (March 18) for violation of the Employment Ordinance and the Crimes Ordinance.

In September 2022, the Labour Department (LD) received a complaint from an FDH against Saiko Hong, located in Sheung Wan, for charging her an excessive commission. As the investigation revealed sufficient evidence that the licensee of the EA concerned and the associate of the licensee had attempted to overcharge the FDH, the LD decided to prosecute.

Under the Employment Ordinance, an EA licensee or his/her associate, or a person purporting to act in such capacities, 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 as well as the Code of Practice for EAs at all times. Failure to do so may lead to prosecution and/or revocation of the EA's licence. The maximum penalties for the offences of unlicensed operation of an EA or overcharging commission from job seekers are a fine of \$350,000 and imprisonment for three years.

Should there be enquiries about matters related to EAs or complaints about malpractices of EAs, please contact the Employment Agencies Administration of the LD by calling 2115 3667, e-mailing ea-ee@labour.gov.hk, or visiting its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.