

Enhancement measures implemented to safeguard employment priority for local workers under Enhanced Supplementary Labour Scheme

The Labour Department (LD) announced the implementation of the following measures under the Enhanced Supplementary Labour Scheme (ESLS) from today (June 17) to safeguard employment priority for local workers:

(i) To ensure that employers will not displace local employees with imported workers, the LD launched an online complaint form on the ESLS dedicated webpage (www.labour.gov.hk/eng/plan/iwESLS.htm) to enable local employees to lodge complaints against employers for suspected violations of the requirements of ESLS. Members of the public can continue to call the dedicated hotline of 2150 6363 to lodge complaints.

(ii) For applications of ESLS which thereafter pass the initial screening and will commence the four-week local recruitment process, the LD will display the names of applicant companies when publishing the job vacancies on the Interactive Employment Service website to encourage job seekers to apply for the jobs.

(iii) After an employer has submitted an ESLS application, other application(s) submitted by the same employer within the following six months will generally not be processed (except under exceptional circumstances, such as applications for renewal of imported workers' employment contracts).

(iv) The LD will launch a special inspection campaign to check whether establishments employing imported workers have continuously met the manning ratio requirement of full-time local employees to imported workers of 2:1. In parallel, the LD will, adopting a risk-based approach, require employers to report information on full-time local employees and imported workers as well as the relevant manning ratios. The LD will investigate any suspected violations. If substantiated, the LD will impose administrative sanctions on the employers.

A Government spokesman reiterated that the priority of the Government's manpower policy all along is to nurture the local workforce. On the premise of ensuring employment priority for local workers, the Government suitably allows employers to apply for importation of workers.

To ensure employment priority for local workers, applicant employers of the ESLS must undertake local open recruitment and give priority to employing qualified local workers to fill the vacancies at a salary not lower than the prevailing median monthly wage of a comparable position in the market. In parallel, employers approved to import workers are required to sign a

Standard Employment Contract with imported workers and shall pay a salary not lower than the median monthly wage of a comparable position to prevent the imported workers from becoming "cheap labour" and undermining the employment opportunities of local workers.

The ESLS also requires employers not to displace local workers with imported workers. In the event of redundancy, imported workers should be retrenched first. If there is sufficient evidence to substantiate any violation of the requirement, the LD will impose administrative sanctions on the employers, including withdrawal of approvals for importation of labour previously granted and refusal to process other applications submitted by the employers in the following two years.

The LD will continue to closely monitor the local labour market, and from time to time review the operation and implementation arrangements of the ESLS, with a view to safeguarding employment priority for local workers.