

Licence of employment agency revoked

A spokesman for the Labour Department (LD) today (August 13) 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 recently revoked the licence of Galaxy Maid Employment Consultants Limited, an EA located in Central and Causeway Bay, which failed to meet the standards set out in the Code by failing to include all required items in the service agreements for foreign domestic helpers (FDHs) and their employers, failing to keep the written confirmation of FDHs and their employers 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 relating to the dealings with employers. Despite repeated warnings given by the Employment Agencies Administration (EAA) of the LD, the EA was unable to rectify the irregularities detected. The Commissioner for Labour was satisfied that the licensee concerned has not complied with the Code and revoked the licence of the EA on grounds under section 53(1)(c)(iva) of the Employment Ordinance.

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 EAA conducts regular and surprise inspections of EAs and issues warning letters to EAs for contraventions of the Code, so as to rectify any irregularity detected.

"Under the Employment (Amendment) Ordinance 2018 that came into effect on February 9, 2018, the Commissioner is empowered under sections 53(1)(c)(iva), 53(1)(d)(iii) and 53(1)(e)(ii) 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 not complied with a code of practice issued under section 62A(1) of the Ordinance."

This is the fifth case this year involving revocation of or refusal to renew an EA licence. Previously, Familia Employment Agency, an EA located in Tai Po, had its licence revoked after the licensee was convicted of overcharging three job seekers. A further two EAs, namely Tin Wai Employment Company Limited, an EA located in Mong Kok and Tuen Mun, and Good Family Employment Agency Company Limited located in Kennedy Town had their licences revoked respectively for contravening the Code and providing misleading information during the inspections and enquiries of the EAA and for contravening the Code by being 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. Another EA named 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 unlicensed operation and overcharging of commission from job seekers by EAs as well as the Code, please call the LD's EAA at 2115 3667, or visit its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.