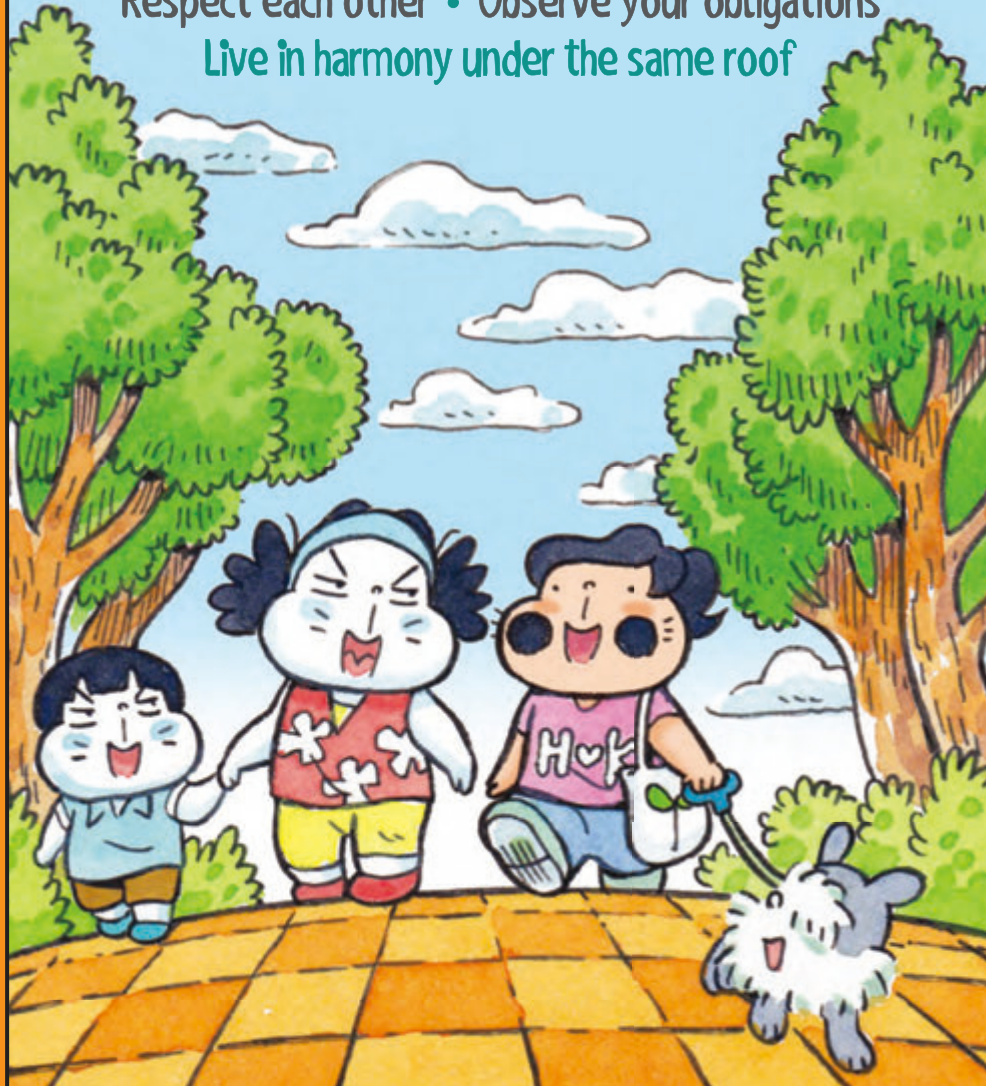


Good Employer • Helpful Foreign Domestic Helper
Observe your Obligations • Live in Harmony



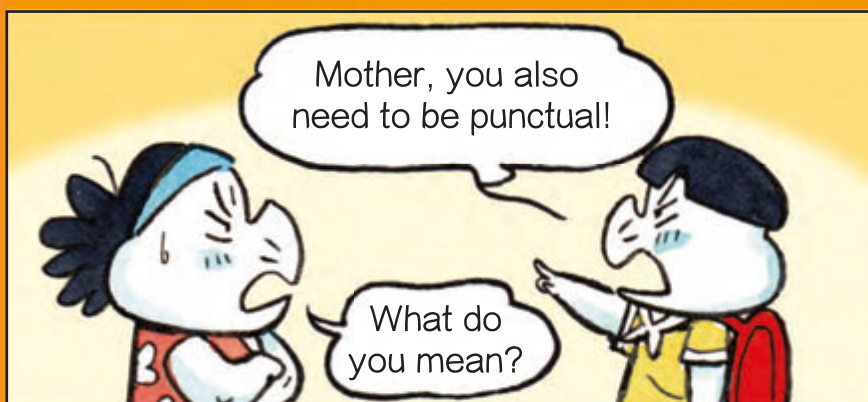
Smart Tips for Foreign Domestic Helpers and Employers

Respect each other • Observe your obligations
Live in harmony under the same roof



Employers and foreign domestic helpers (FDHs) should respect each other and observe one's obligations so as to live in harmony and build up a cordial, long-term relationship. In case of employment disputes, both parties should seek assistance promptly and must not resort to violence or other illegal acts. The Labour Relations Division of the Labour Department (LD) provides free conciliation services to assist employers and FDHs in resolving their labour disputes.

Pay wages on time



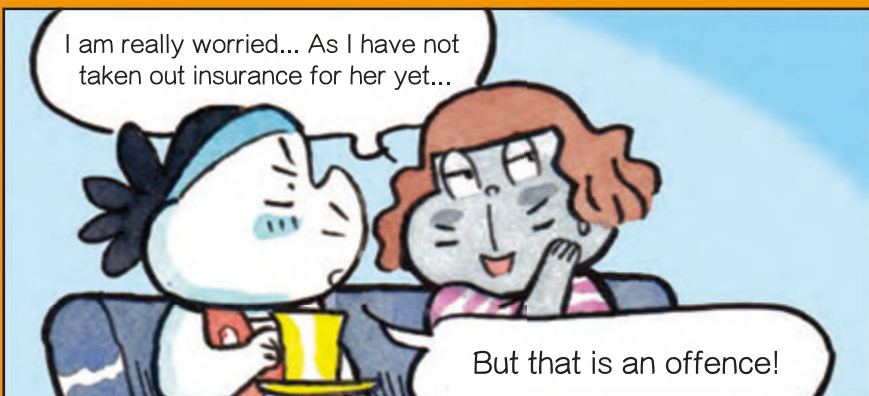
The wage rate stated in the Standard Employment Contract (SEC) should not be less than the Minimum Allowable Wage. Wages shall become due on the expiry of the last day of the wage period. Employers should pay FDHs the wages specified in the SEC on time, and keep record on wage payments (e.g. a receipt signed by both parties) to avoid disputes in future.

Grant holidays



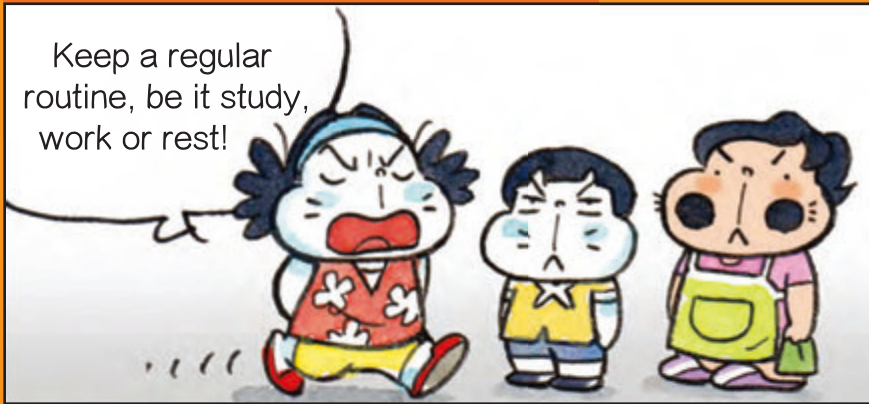
According to the Employment Ordinance, an FDH is entitled to not less than one rest day in every period of seven days, statutory holidays and paid annual leave. If an FDH is required to work on the original rest day or statutory holiday, the employer should arrange a substitute holiday for the FDH. An employer who fails to grant holidays to an FDH commits an offence.

Take out suitable insurance



Employers are required to take out employees' compensation insurance for their FDHs under the law. The SEC further stipulates that employers shall provide free medical treatment to FDHs during the employment period in Hong Kong. Employers are recommended to take out comprehensive FDH insurance policies which cover both medical insurance and employees' compensation insurance to fulfill the requirements under the law and the SEC.

Agree on work arrangement



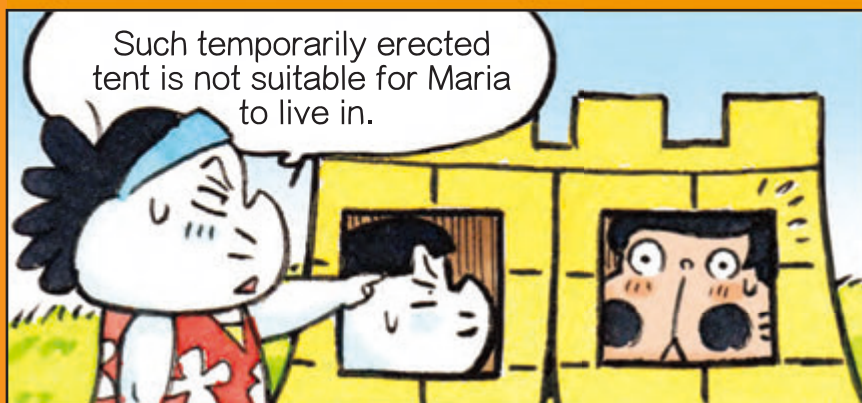
Employers should maintain good communication with FDHs and agree on work arrangement and when to take rest. Adequate rest can enhance FDHs' productivity and efficiency.

Provide food free of charge or food allowance



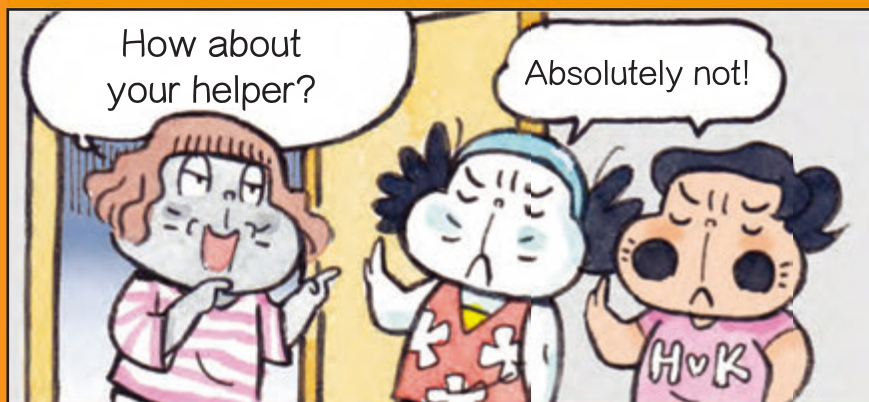
Employers should agree with their FDHs on whether food will be provided free of charge or if food allowance will be provided. If employers are unable to provide food free of charge for a period of time (for example, when they are travelling abroad), food allowance should be paid for that period. Employers may try to understand FDHs' religious background and dietary habits so as to provide them with sufficient and suitable food.

Provide suitable accommodation and with reasonable privacy



Employers must provide FDHs with suitable accommodation and with reasonable privacy free of charge at the employers' address as stated in the contract. Examples of unsuitable accommodation are: FDHs having to sleep on made-do beds in the corridor with little privacy or sharing a room with an adult/teenager of the opposite sex. If an FDH considers that the employer is unable to provide suitable accommodation or any of his/her employment right is infringed, he/she should approach the authorities for assistance.

FDHs cannot work at a non-contractual address or for persons other than their employers



FDHs are only allowed to take up domestic duties in the employers' residence as stated in the contract. Arranging an FDH to perform non-domestic duties or work in places other than the residence as stated in the contract may be an offence. Besides, an FDH who works for any person other than his/her employer, including performing part-time domestic duties for such person, would commit an offence.

FDHs can only reside in the residential address specified in the contract



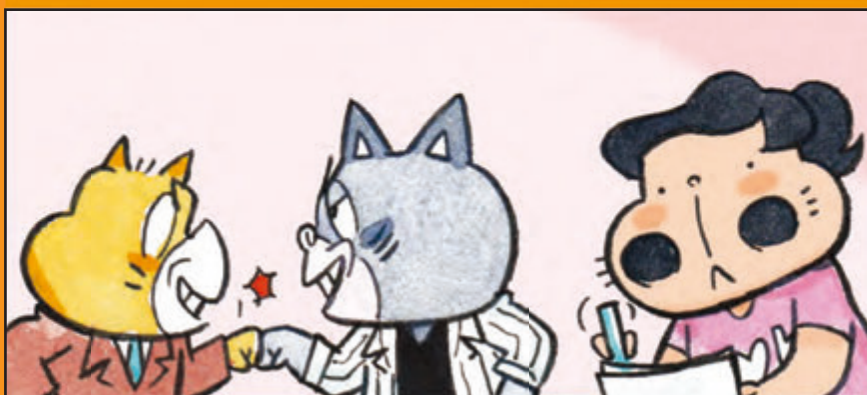
FDHs can only work and reside in the employer's residence as stated in the contract during the employment period. Arranging an FDH to reside in other residences of the employer or relatives' residences violates the relevant regulations.

Do not withhold FDHs' identification documents



Nobody (including FDHs' employers and employment agencies (EAs)) can withhold FDHs' personal property, such as passport, identity card and bank card, or else he/she may commit an offence. FDHs should keep their personal identification documents and property by themselves. If an FDH considers his/her rights infringed, he/she should report it to the authorities as soon as possible.

Manage your finances well and avoid borrowing money



EAs should not be involved in the financial affairs of FDHs, or arrange for FDHs to take out loans, otherwise the EAs' licence may be revoked. Besides, employers should not deduct FDHs' wages to repay any loans on behalf of FDHs. FDHs should manage their finances in a prudent manner and avoid falling into debt.

Refrain from “job-hopping”



Employers hire FDHs to assist in taking care of the family. They all expect FDHs to be able to complete the contract. If an FDH quits before the contract expires, the employer may not be able to find a replacement promptly to take care of the family. Under the existing policy, FDHs' application for change of employers before contract expiry will normally not be approved except under exceptional circumstances (for example the FDH is maltreated by the employer). If an FDH wishes to take up employment with a new employer, he/she must return to his/her place of origin and apply for employment in Hong Kong again. If an FDH is suspected of abusing the arrangement for premature termination of contract to change employers, his/her future applications for employment in Hong Kong may be refused.

Comply with the conditions of stay



If an FDH breaches the conditions of stay specified in his/her visa, such as overstaying or taking up employment with persons other than the employer or part-time jobs, he/she is liable to prosecution and may be repatriated to his/her place of origin. Any person who aids and abets an FDH in breaching the conditions of stay is also liable to prosecution.



LD has maintained a dedicated FDH Portal which provides information on the policies, legislation, etc. relating to the employment of FDHs. The Portal also contains materials such as publications and promotional videos relating to the employment rights of FDHs. Apart from Chinese and English, the Portal is available in Tagalog, Bahasa Indonesia, Thai, etc. so as to facilitate FDHs' understanding of the information. FDHs may access the information therein anywhere and at any time, even before their arrival in Hong Kong.



The Government of the Hong Kong Special Administrative Region does not require employers to hire FDHs through EAs, nor is it a must for FDHs to find a job in Hong Kong through EAs. However, it is common for Hong Kong employers to hire FDHs through EAs. LD has maintained a dedicated EA Portal for employers and job-seekers to access information and publications relating to the regulation of EAs in Hong Kong. The Portal also provides a search function for the public to check whether an EA has a valid licence. The search function allows searches of EAs by district, placement type, etc.



Enquiry Hotlines:

About rights of FDHs and
labour legislation (handled by “1823”)

2717 1771

2157 9537 (Dedicated hotline for FDHs)

About regulation of EAs

2115 3667



Website:

<http://www.labour.gov.hk>

