

香港海外女傭僱主協會的信頭

**Letterhead of HONG KONG EMPLOYERS OF OVERSEAS DOMESTIC HELPERS
ASSOCIATION**

28th August, 1999

Mr. Joseph W.P. Wong
Secretary for Education and Manpower
9/F., CGO (West Wing),
Ice House Street,
Central,
Hong Kong

Dear Sir,

We regret that you still maintain your views on a total ban of driving duties by foreign domestic helpers(FDH) despite our strong objection based on valid grounds. We feel that hundreds of employers' rights are being ignored by your intended action.

In facing the increased pressure from the local drivers' unions, your Bureau failed to identify the root cause of the unions' grievance. Other options have not been thoroughly considered before arriving at a hasty decision to ban altogether driving duties incidental to and arising from domestic duties. The decision may be considered as discriminative to FDHs on their rights to drive and also infringes on the rights of the employers in engaging FDHs on occasional driving. This right is given in the "Schedule of Accommodation and Domestic duties.

We are in full support of your Bureau's move to stop FDHs from engaging in full chauffeur duties. It is not our intention to substitute FDHs for local chauffeurs. The provision permitting FDHs to drive should not render any difficulties in the enforcement action against full time chauffeurs. There is a clear and easy distinction between occasional driving and full time chauffeur duties. If a FDH does not perform any other domestic duties except driving is obviously a regular chauffeur. A FDH who has to do all normal domestic duties but is found driving her employer's car to do some marketing on a non regular basis is not, by any definition, a chauffeur.

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Occasional drivings by FDH could not cause employment difficulties to local drivers nor would it adversely affect their wage level. It merely provides convenience to employers who may need them to drive on occasions such as emergency if they possess driving licences.

We maintain our previous view that the mal-practice of employing FDHs to perform full time chauffeur should stopped by more effective enforcement actions under the provisions of existing laws and regulations. If our Association could assist in this matter any further, we will be too glad to attend a meeting in your office.

Yours sincerely,

YUNG MA Shan-ye, Betty
(Chairperson)