

(Translation)

**Hon Judy CHAN's motion on
“Regulating employment agencies for placement of foreign domestic
helpers to protect the interests of employers and employees”**

Wording of the Motion

That there are currently some 350 000 foreign domestic helpers (‘FDHs’) in Hong Kong who play a significant role in supporting family caregiving and unleashing female labour force, however, the employment agencies for placement of FDHs (‘EAs’) have all along been criticized as their quality varies and some of them have engaged in malpractices; the outbreak of COVID-19 has given rise to numerous problems, including the rising cost of employing FDHs, extremely long waiting time for FDHs to come to Hong Kong, insufficient quarantine facilities for FDHs as well as the worsening situation of job-hopping of FDHs, causing much distress to middle-class families; in this connection, this Council urges the Government to:

- (1) review the existing legal provisions and codes, including studying the enhancement of the Employment Ordinance, the Employment Agency Regulations and the Code of Practice for Employment Agencies, so as to upgrade the service quality of EAs, enhance the transparency of their operation and curb the operation of non-compliant EAs;
- (2) review the standard employment contract which has been in use for a long time, examine the outdated parts thereof, and consult the public on and make amendments to it, so as to balance the interests of employers and employees;
- (3) set up a unified support platform to assist employers and employees to understand their respective rights and obligations, including providing recruitment information, handling employment relationship, providing a list of licensed EAs and explaining practical information such as the relevant legislation;
- (4) establish a mechanism for regular exchanges with consulates and organizations of employers and employees in respect of the matters relating to the interests of FDHs, and take the initiative to strengthen communication, cooperation and publicity on matters such as the implementation of new policies by the relevant countries and the combat against unlawful behaviour; and

- (5) strengthen the functions of the Labour Department and the Labour Tribunal, thereby shortening the waiting time required for adjudication.