

Hong Kong has an area of 1 107 square kilometres and a population of about 7.41 million in mid-2021. Despite its small size, Hong Kong was ranked the 6th largest trading entity in the world in 2021. The total value of visible trade amounted to \$10,268.4 billion in 2021. During the period of 2011 to 2021, the Gross Domestic Product (GDP) grew at an average annual rate of 1.6 per cent in real terms, to \$2,845.4 billion (in chained (2020) dollars) in 2021. Per capita GDP at current market prices reached \$387,110 (US\$49,795).

The size of the total labour force** in 2021 was 3.87 million, of whom 49.7 per cent were male and 50.3 per cent were female. This represented 59.4 per cent of the total population aged 15 and over**.

Labour Legislation and Standards: The Government protects employees' rights and benefits as well as occupational safety and health through an extensive programme of labour legislation.

Hong Kong also applies relevant International Labour Conventions (ILCs) as the local circumstances allow. As at the end of 2021, Hong Kong has applied 31 ILCs. This is comparable with neighbouring places with similar economic development as well as social and cultural background.

Working Conditions: The Employment Ordinance provides the framework for a comprehensive code of employment. It governs the payment of wages, the termination of employment contracts, the operation of employment agencies, etc. The law provides eligible employees with various benefits and protection such as rest days, paid statutory holidays, paid annual leave, sickness allowance, paid paternity leave, maternity protection and employment protection. On top of these, the law also provides protection to employees participating in trade union activities, severance payment to employees made redundant and long service payment to workers with long service who are dismissed or resign on grounds of ill health or reaching the age of 65 or above, etc. Employees who are owed wages, wages in lieu of notice, severance payment, pay for untaken annual leave and/or pay for untaken statutory holidays by insolvent employers may apply for ex gratia payment from the Protection of Wages on Insolvency Fund. The Fund is financed mainly by a levy per annum on each business registration.

The Employment of Children Regulations prohibit the employment of children aged under 13 in all economic sectors. Subject to certain protective restrictions, children aged 13 and 14 may take up employment in the non-industrial sectors.

The Employment of Young Persons (Industry) Regulations govern the hours of work and employment conditions of young persons aged 15 to 17 in industrial undertakings. For example, these young persons are not allowed to work more than eight

hours a day and 48 hours a week. Overtime work for them is also prohibited.

Labour inspectors of the Labour Department conduct workplace inspections to monitor employers' compliance with various labour laws to safeguard the rights and benefits of local and imported workers.

Trade Unions and Labour Relations: Hong Kong residents have the right and freedom to form and join trade unions. At the end of 2021, there were 1 542 trade unions registered under the Trade Unions Ordinance, consisting of 1 472 employee unions, 12 employer associations, 43 mixed organisations of employees and employers and 15 trade union federations.

Hong Kong has a sound record of labour relations. Problems between employers and employees can usually be resolved through mutual agreement or conciliation. In 2021, the Labour Department handled 11 112 labour claims and disputes, most of which were related to disputes on termination and wages. Over 70 per cent of the cases with conciliation service rendered were settled.

Adjudication of Claims: A quick, inexpensive and informal procedure for adjudicating disputes between employers and employees is in place in Hong Kong. The Minor Employment Claims Adjudication Board of the Labour Department adjudicates claims for rights under the Employment Ordinance, the Minimum Wage Ordinance and individual employment contracts. Each of the claims heard by the board shall involve not more than 10 claimants for a sum not exceeding \$15,000# per claimant. Claims not meeting such criteria are heard by the Labour Tribunal. The Labour Tribunal comes under the Judiciary and deals with claims arising out of a breach of a contract of employment and the relevant provisions of the Employment Ordinance, the Minimum Wage Ordinance or the Apprenticeship Ordinance.

Occupational Safety and Health: Through inspection and enforcement, education and training, publicity and promotion, as well as collaboration with relevant stakeholders, the Occupational Safety and Health Branch of the Labour Department seeks to reduce work accidents and prevents occupational and work-related diseases to safeguard employees' safety and health at work.

Under the Occupational Safety and Health Ordinance and the Factories and Industrial Undertakings Ordinance, 32 sets of regulations have been made to cover various aspects of hazardous work procedures in factories, building and engineering construction sites, catering establishments, commercial premises and other workplaces.

In 2021, 130 676 inspections and 16 978 accident investigations were conducted. Altogether, 2 649 summonses were heard with fines totalling \$15.3 million. The Labour Department conducted in-depth surprise inspections targeting construction sites with high-risk work processes or poor safety performance to scrutinise the safe system of work and the safety management system of duty holders. The department also stepped up participation in site safety management committee meetings of public work projects to keep close tabs on the projects' occupational safety and health conditions and risks, with a view to devising more focused inspection strategies accordingly. Moreover, the department stepped up area patrols to combat high-risk work processes of repair, maintenance, alteration and addition works, including unsafe work-above-ground activities.

To enable inspections be arranged in a more targeted manner and follow-up actions be carried out expeditiously, the Labour Department facilitates employees and members of the public to report unsafe working conditions using mobile electronic devices through an online occupational safety and health complaint platform. In 2021, a total of 883 occupational safety and health complaint cases were received through the platform.

In 2021, 1 881 seminars, courses and talks for over 91 000 participants were organised to help them better understand occupational safety and health knowledge and the relevant law. Safety and health publications were distributed to members of the public through various outlets and channels. The Labour Department launched a number of large-scale promotional activities in 2021, including safety award scheme and inspiration programme to enhance occupational safety and health awareness in the construction and catering industries respectively, and publicity campaigns on work safety for both new works and repair, maintenance, alteration and addition works, electrical work safety and work-at-height safety. In addition, the Labour Department organised promotional campaign on the prevention of heat stroke at work and conducted publicity activities to promote the prevention of occupational and work-related diseases. The Labour Department also continued to collaborate with the Occupational Safety and Health Council to implement various sponsorship schemes to promote occupational safety and health including the enhanced light-duty working platform sponsorship scheme, the brand new tool lanyard sponsorship scheme and the portable waist fan sponsorship scheme for small and medium enterprises.

To enhance the effectiveness of publicity and promotion, the Labour Department has been producing Work Safety Alert in the form of animation videos to enable the industry to better comprehend how accidents happened and the necessary precautionary measures to be taken for preventing recurrence of accidents. Besides, the Labour Department in 2021 launched a new TV Announcement in the Public Interest and supported workers' organisations to stage roving exhibitions, with a view to disseminating information about the risks of work-at-height and corresponding safety measures to employers and workers of the construction industry.

To assist large corporations to better control specific workplace health hazards, the Central Promotion Team of the Occupational Health Service of the Labour Department

promoted good work practice to the management of these corporations and urged them to implement necessary preventive measures through a top-down, holistic and unified approach to safeguard the occupational health of employees. In 2021, the Team visited 30 large construction companies to help them strengthen the control of noise and dust hazards at work.

As for clinic services, the Labour Department's two Occupational Health Clinics provided a total of 10 040 clinical consultations to workers in 2021.

Employees' Compensation: Under the Employees' Compensation Ordinance, an employer is liable to pay compensation to an employee who sustains personal injury arising out of and in the course of employment or to eligible family members of an employee who dies as a result of an accident at work. All employers are required to have valid employees' compensation insurance policies to cover their liabilities under the laws (including the common law).

The Employees' Compensation Ordinance is administered by the Employees' Compensation Division of the Labour Department, which handled 250 fatal accident cases and 42 297 non-fatal cases in 2021. Among these non-fatal cases, 11 451 were minor injury cases with sick leave not exceeding three days. The division also provides administrative support to the Employees' Compensation Assessment Board which assesses the percentage of permanent loss of earning capacity suffered by injured employees. In addition, it offers assistance to persons who have contracted pneumoconiosis and/or mesothelioma or, in case of their death, their eligible family members to obtain compensation from the Pneumoconiosis Compensation Fund Board which is financed by a levy on the construction and quarrying industries.

Employment Services: The Labour Department provides comprehensive and free employment and recruitment services to job seekers and employers through 13 Job Centres, three industry-based recruitment centres for the catering, retail and construction industries, the Job Vacancy Processing Centre, the Telephone Employment Service Centre, the Interactive Employment Service (IES) website (www.jobs.gov.hk) and its mobile application, as well as vacancy search terminals located in various sites throughout the territory.

Job seekers may use the facilities such as user-friendly vacancy search terminals, telephones, fax machines and computers in the Job Centres to complete the whole job hunting process. They may also meet employment officers in the Job Centres to obtain personalised employment advisory services. Employment officers will provide them with job search advice as well as information on labour market and training/retraining courses, support them in conducting career aptitude assessment, etc. in accordance with their individual needs and preferences, and match them to suitable jobs.

The Labour Department administers various special employment programmes, including the Youth Employment and Training Programme, the Employment Programme for the Elderly and Middle-aged, the Work Trial Scheme, the Employment Services Ambassador Programme for the Ethnic Minorities and the Racial Diversity Employment Programme, to cater for the needs of different job seekers. Under the

programmes, job seekers are provided with tailor-made employment support services such as the provision of work trials and on-the-job training in actual working environment. Moreover, both large-scale and district-based job fairs are organised to facilitate job seekers to apply for jobs and attend interviews with employers on the spot.

By making use of the iES website, employers and job seekers may submit vacancy information and search jobs on the web respectively. There are also dedicated webpages to disseminate employment information of topical interest to job seekers. At the same time, job seekers can download and use the iES mobile application via their smartphones or mobile devices to look for suitable vacancies from the Labour Department's database anytime and anywhere, and to receive regular notifications of updated job vacancies that match their preset criteria.

During 2021, the department recorded 1 061 856 vacancies from the private sector and achieved 197 793 placements.

Employment Assistance to Persons with Disabilities: The Selective Placement Division of the Labour Department provides free specialised employment assistance to persons with disabilities who are fit for open employment, including those with visual impairment, hearing impairment, physical impairment, chronic illness, ex-mental illness, autism spectrum disorder, intellectual disability, specific learning difficulties and attention deficit/hyperactivity disorder. During 2021, the division recorded 2 882 registrations and achieved 2 375 placements. The Labour Department also administers the Work Orientation and Placement Scheme which encourages employers to offer job vacancies to persons with disabilities through the provision of allowance.

Employment Distribution: Total employment in the fourth quarter of 2021 was 3.7 million. The employment distribution among various industry sectors was as follows:

<i>Industry sector</i>	<i>Percentage of employment distribution</i>
Manufacturing	2.1
Construction	9.0
Import/export, wholesale and retail trades; and accommodation [‡] and food services	25.9
Transportation, storage, postal and courier services; and information and communications	10.6
Financing and insurance; real estate; and professional and business services	22.6
Public administration; and social and personal services	29.2
Others	0.5
<i>Total employment</i>	<i>100.0</i>

Wages: The Minimum Wage Ordinance establishes the Statutory Minimum Wage regime to provide a wage floor which forestalls excessively low wages without unduly jeopardising Hong Kong's labour market flexibility, economic growth and competitiveness, and minimising the loss of low-paid jobs. The prevailing Statutory Minimum Wage rate is \$37.5 per hour.

In May-June 2021, the median monthly wage of employees in Hong Kong (excluding government employees as well as student interns, work experience students and live-in domestic workers as exempted by the Minimum Wage Ordinance) was \$18,700, and increased by 1.6 per cent compared with May-June 2020.

The following notes are used in this fact sheet :

- ++ Figures are compiled based on data collected in the General Household Survey from January to December of the year concerned as well as the mid-year population estimates. The General Household Survey covers the land-based non-institutional population of Hong Kong.
- # If the right of action for the claim arose wholly before 17 September 2021, this upper claim limit was not exceeding \$8,000 per claimant.
- ‡ Accommodation services cover hotels, guesthouses, boarding houses and other establishments providing short-term accommodation.