



HONG KONG'S PROPOSED STATUTORY MINIMUM WAGE BILL

The Legislative Council of the Hong Kong Special Administrative Region is currently reviewing the proposed Statutory Minimum Wage (SMW) Bill for low paying sectors. According to Labour and Welfare Secretary Mathew Cheung Kin-Chung, they consider it necessary to exempt live-in domestic workers (both local and foreign) from the SMW. The multifarious nature of their job makes it different to apply the SMW, which is calculated on an hourly basis. In addition, the provision of free accommodation by employers means that live-in domestic workers are spared the most costly living expense items, as well as home to workplace travel and food in most circumstances. Apart from free lodging, they also enjoy free medical benefits and free passage to and from their place of origin. Domestic workers in Hong Kong are currently protected by the Minimum Allowable Wage (MAW), which is administratively set, and mandatory. Underpayment of domestic helper's salary is considered an offense under Hong Kong's Employment Ordinance.

The Central Policy Unit of Hong Kong, (CPUHK) a government think tank has also proposed more safeguards on the importation of domestic workers from Mainland China. Presently, domestic workers from the Mainland are in demand due to similar cultural background and language with Hong Kong employers. However, the CPUHK has proposed that restrictions should be in place to avoid abuse in the system by the Mainlanders who may seek permanent settlement in Hong Kong and bring along spouses and relatives from the Mainland. The restrictions include a) imposition of an age limit on domestic workers from the Mainland b) restriction on work tenures of no more than six (6) years and c) requirement for employers to choose from a roster of candidates instead of allowing them to make arrangements for someone they know to come and work for them.

The debate on whether to allow domestic workers from the Mainland has been going on for at least two (2) decades, although there has been little discussion in recent years.

*Source: POLO-Hong Kong
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