







Notes for Construction Workers

Employment Ordinance




Responsibility of employer to pay wages

-  An employer should pay wages to his worker **not later than 7 days** after the end of the wage period.
-  If the contract is terminated, an employer should clear wages to his worker **not later than 7 days** after the termination.
-  An employer who wilfully and without reasonable excuse fails to pay wages to his worker when it becomes due is liable to prosecution and, upon conviction, to **a fine of \$350,000** and to **imprisonment for 3 years**.

Liability to Pay Wages of Sub-contractors' Workers

-  If a sub-contractor's worker is owed wages, the principal contractor, superior sub-contractor and superior nominated sub-contractor are liable for **the first two months'** unpaid wages.
-  A sub-contractor's worker must serve **a written notice to the principal contractor or the main nominated sub-contractor within 60 days** after the wages become due.
-  The written notice should include:
 - (1) Name and address of the worker;
 - (2) Name and address of direct employer;
 - (3) Address of the working place;
 - (4) Details of the work in respect of which wages are due; and
 - (5) The amount of wages due and the wage period.

Points for Attention

-  To protect your interest, you should retain your employment contract and records of wages, attendance and total number of hours worked. You should not sign any untrue wage receipts or records of attendance or total number of hours worked.
-  **You should report wage defaults without delay.**
-  With a view to prosecuting employers who do not abide by the law, you should come forward to act as prosecution witness.

This leaflet sets out in simple terms the main provisions of the Employment Ordinance (Cap. 57). It should be noted that the Ordinance itself remains the sole authority for the provisions of the law explained. For details of employment rights and benefits, please refer to "A Concise Guide to the Employment Ordinance" published by the Labour Department.



Labour Department

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Enquiries



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