



Frequently Asked Questions

1 How to apply the new requirement?



According to the Employment Ordinance (EO), an employee who has been employed continuously by the **same employer for four weeks or more**, and has met the working hours requirement, is regarded as being employed under a “continuous contract”. Before the new requirement becomes applicable, the **weekly working hours threshold for a “continuous contract” is 18 hours**.

The present amendments **lower the weekly working hours threshold to 17 hours**, while also introducing an alternative criterion of using the **aggregate working hours** in a specified **four-week period** as a counting unit. In other words, **a week** with less than 17 working hours will still be counted towards a continuous employment period if the sum of the working hours of **that week and those of the three weeks** (i.e. specified four weeks) immediately preceding that week **reaches 68 hours** (“468” rule).

2 When will the new requirement take effect? Will this apply retrospectively?



The new “continuous contract” requirement will become applicable starting from **18 January 2026**. As the amendments are not retrospective, for an employment period before this date, an employee has to be employed continuously by the same employer for four weeks or more and has worked at least 18 hours each week to meet the “continuous contract” requirement.

3

How to ascertain whether an employee is being employed under a “continuous contract”, if his employment period straddles the new requirement’s effective date?



To ascertain whether an employee is being employed under a “continuous contract”, he has to be employed continuously by the same employer for four weeks or more and has met the **working hours requirement**. For an employment period straddling the effective date, the respective working hours thresholds are set out below :

Employment period	Working hours threshold of “continuous contract” requirement
<p><u>Before the new requirement is applicable :</u> Before 18 January 2026</p>	Has worked for at least 18 hours in each week.
<p><u>After the new requirement is applicable :</u> On or after 18 January 2026</p>	<p>Working hours fulfil one of the following requirements :</p> <p>① An employee has worked for at least 17 hours in each week; or</p> <p>② (Where an employee has worked less than 17 hours in any week) he has worked for 68 hours or more in a four-week period ^(Note) comprising that week and the three weeks next preceding that week.</p> <p><small>(Note) The employee has been employed by the employer concerned during this four-week period.</small></p>

4

Will the amendments of the “continuous contract” affect the employees’ eligibility of employment rights?



After the amendments, other provisions of the EO will continue to operate as they currently do, and existing eligibility criteria for various statutory benefits will remain unchanged. For instance, employees are required to be employed under a “continuous contract” for not less than three months immediately preceding a statutory holiday in order to be entitled to the holiday pay, and every period of 12 months for annual leave with pay. In other words, an employee who **meets the revised “continuous contract” requirement** will be entitled to a particular benefit if he also **meets the relevant conditions for that benefit**.



勞工處
Labour Department

Website : www.labour.gov.hk

Enquiry Hotline : **2717 1771** (the hotline is handled by 1823)