

**Clarify Your Employment Status  
Protect Your Rights and Benefits**

Narrator:	Clarify Your Employment Status Protect Your Rights and Benefits
Brother Leung:	Oh, what? Boss insists to change us to self-employed persons? He can't unilaterally change the contract! Let's discuss it after I come back.  Chris, please stamp the receipt...
Chris:	Thanks Brother Leung! Why are you so angry?
Brother Leung:	My boss forces me to change to a self-employed person. Does it mean I'll lose all of the rights and benefits?
Chris:	We should seek advice from professionals for these questions. Mandy, we've got some questions!
Mandy:	What can I help you?
Chris:	Brother Leung's boss has asked him to change to a self-employed person. Will he lose all the rights and benefits?
Mandy:	Maybe! The Employment Ordinance does not apply to self-employed persons. Hence, before an employee decides to change his status to a self-employed person, he must cautiously assess the pros and cons for protecting his rights and benefits. Moreover, if you don't agree, the employer can't unilaterally change your status to a contractor or self-employed person.
Brother Leung:	How can we distinguish an "employee" from a "contractor or self-employed person"?
Mandy:	From precedent court cases, all relevant factors should be considered for differentiating between an employee and a self-employed

	<p>person. For example, control over working time and method, ownership and provision of tools and materials, whether the person is carrying on business on his own account with investment and management responsibilities, etc.</p>
Brother Leung:	Oh, right. I see!
Mandy:	Since the actual circumstances in each case are different, the final interpretation will rest with the court in case of a dispute.
Chris:	Mandy is very nice. Feel free to ask her anytime if you have questions!
Mandy:	er...er... It's just that I am more familiar with the Employment Ordinance...
All:	Please pay careful attention to your employment status!
Narrator:	<p>Clarify Your Employment Status Protect Your Rights and Benefits For enquiries, please contact the Labour Department at 2717 1771.</p>