

Hong Kong has an area of 1 107 square kilometres and a population of about 7.35 million in mid-2022. Despite its small size, Hong Kong was ranked the 10th largest trading entity in the world in 2022. The total value of visible trade amounted to \$9,459.1 billion in 2022. During the period of 2012 to 2022, the Gross Domestic Product (GDP) grew at an average annual rate of 1.1 per cent in real terms, to \$2,767.9 billion (in chained (2021) dollars) in 2022. Per capita GDP at current market prices reached \$383,611 (US\$48,980).

The size of the total labour force** in 2022 was 3.78 million, of whom 49.9 per cent were male and 50.1 per cent were female. This represented 58.2 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 applies relevant International Labour Conventions (ILCs) as the local circumstances allow. As at the end of 2022, Hong Kong 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 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 2022, there were 1 469 trade unions registered under the Trade Unions Ordinance, consisting of 1 398 employee unions, 12 employer associations, 44 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 2022, the Labour Department handled 10 685 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. Under the Judiciary, the Labour Tribunal 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 2022, 121 448 inspections and 16 673 accident

investigations were conducted by Occupational Safety Officers. Altogether, 2 373 summonses were heard with fines totalling \$14.6 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 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 2022, a total of 1 066 occupational safety and health complaint cases were received through the platform.

In 2022, 1 768 seminars, courses and talks for over 99 400 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 2022, including safety award scheme and catering industry safety promotional campaign 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 sponsorship scheme for fall arresting equipment for renovation & maintenance work and construction industry, the portable residual current device sponsorship scheme, the 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 broadcast a new TV Announcement in the Public Interest in 2022 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.

In order to enhance the deterrent effect of the occupational safety and health legislation and further strengthen the protection to workers, the Labour Department introduced a bill into the Legislative Council in May 2022 to amend the penalties of occupational and safety legislation, including setting the maximum fines and imprisonment terms for extremely serious occupational safety and health offences at \$10 million and two years respectively. The bill was passed by the Legislative Council and the new penalties of occupational safety and health legislation took effect on 28 April 2023.

As for clinic services, the Labour Department's two Occupational Health Clinics provided a total of 9 177 clinical consultations to workers in 2022.

To strengthen rehabilitation services for employees injured at work, the Labour Department rolled out the three-year Pilot Rehabilitation Programme for Employees Injured at Work in September 2022. The programme adopts a case management approach to provide timely private out-patient rehabilitation treatment services for injured construction employees to facilitate their early recovery and return to work. As at the end of 2022, 131 injured construction employees have participated in the programme.

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 254 fatal accident cases and 42 104 non-fatal cases in 2022. Among these non-fatal cases, 9 412 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's 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 provide diversified and free employment and recruitment services to job seekers and employers.

Job seekers may use various facilities in the Job Centres to complete the job hunting process, and may also meet employment officers 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 needs and preferences, and match them to suitable jobs.

The Labour Department implements various 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, the Racial Diversity Employment Programme and the Greater Bay Area Youth Employment Scheme, to provide employment support to job seekers of different backgrounds. Moreover, the Labour Department organises large-scale and district-based job fairs to facilitate job seekers to apply for jobs and attend interviews with employers on the spot.

Through 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 as well as information on job fairs.

In 2022, the department recorded 1 086 335 vacancies from the private sector and achieved 164 713 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. During 2022, the division recorded 2 570 registrations and achieved 2 412 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 2022 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	2.0
Construction	9.2
Import/export, wholesale and retail trades; and accommodation [‡] and food services	25.5
Transportation, storage, postal and courier services; and information and communications	10.6

Financing and insurance; real estate; and professional and business services	22.4
Public administration; and social and personal services	29.7
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 Statutory Minimum Wage rate increased to \$40 per hour on 1 May 2023.

In May-June 2022, 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 \$19,100, and increased by 1.9 per cent compared with May-June 2021.

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.

‡ Accommodation services cover hotels, guesthouses, boarding houses and other establishments providing short-term accommodation.