

**Business Facilitation Advisory Committee
Task Force on Business Liaison Groups**

Enhanced Supplementary Labour Scheme

Purpose

This paper briefs Members on the Enhanced Supplementary Labour Scheme (ESLS).

Enhanced Supplementary Labour Scheme

2. Administered by the Labour Department (LD) since 1996, the Supplementary Labour Scheme (SLS) allows employers with genuine difficulties in local recruitment to apply for importation of labour at technician level or below. To alleviate the problem of labour shortage, LD launched the ESLS on 4 September 2023 to enhance the coverage and operation of the SLS by the following measures –

- (a) *Enhancing coverage:* The general exclusion of the 26 job categories (see **Annex**) as well as unskilled/low-skilled posts from the SLS is suspended for two years;
- (b) *Enhancing dissemination of application information to employers:* LD organises briefings for employers from time to time to explain the information needed for submitting applications, points-to-note, and the flow of applications as well as answering questions on the spot. LD also publicises information of common posts, including their median monthly wages, for employers' reference;
- (c) *Streamlining verification of application information:* Upon screening in of an application, LD has replaced inspection visits by Labour Inspectors to the employer' office premises and intended workplaces of the imported workers with desktop checks, and with verification by telephone or in writing with employer as appropriate to verify relevant information;

- (d) *Enhancing local recruitment arrangements of labour importation applications:* Upon commencement of the four-week local recruitment for job vacancies which have passed the screening under the ESLS, LD sends details of the job vacancies to Labour Advisory Board (LAB) members and the relevant trade unions for their referral of suitable local job seekers to apply for relevant posts during the local recruitment;
- (e) *Refining workflow of consultation with the LAB:* Before the enhancement, LD circulated recommendations supplemented by a case write-up on each SLS application to LAB members for views every month. To help LAB members grasp the key points of applications and recommendations, LD presents the key points of recommendations in a tabulated form in place of providing a case write-up; and
- (f) *Enhancing dissemination of information at briefings on employment rights:* To protect imported workers' employment rights and benefits, employers must arrange and grant paid leave to each imported worker for attending a briefing on employment rights within eight weeks upon his/her arrival in Hong Kong. This ensures that imported workers understand their employment rights and benefits while working in Hong Kong. LD collaborates with trade unions on distributing their information leaflets at the briefings, so as to provide more channels for imported workers to seek assistance and make enquiries. LAB members or trade union representatives referred by them may also join the briefings to convey messages about employment rights to imported workers direct.

3. The ESLS does not accept applications for imported labour under sectors and job categories¹ covered by the Special Scheme to Import Care Workers for Residential Care Homes (special scheme) as well as other labour importation schemes for specific sectors (construction and transport) (sector-specific labour importation schemes).

4. If the prospective imported workers are Mainland residents, employers under the ESLS must recruit the imported workers through the labour service co-operation enterprises² approved by the relevant

¹ That is, job categories under the construction sector and aviation industry, public land transport drivers and care workers of residential care homes.

² Refer to enterprises approved by the relevant competent authority in commerce of the Mainland and granted the permission to operate business on labour service co-

Mainland authorities. Moreover, apart from providing accommodation in Hong Kong, employers are allowed under the ESLS to (i) provide imported labour with accommodation on the Mainland; or (ii) let imported labour reside in their residential premises on the Mainland. The relevant arrangements are in line with those under the special scheme and sector-specific labour importation schemes.

Application Processing and Approval

5. As mentioned in paragraph 2(d), applicant employers under the ESLS are required to launch a four-week local recruitment exercise to accord priority to filling job vacancies with suitable local workers. At the same time, LD will conduct job matching for the vacancies and refer suitable job seekers to the employers for interview.

6. Upon completion of the local recruitment exercise by employers, LD will analyse each application so as to assess the employer's sincerity in recruiting/training local workers, its genuine need for manpower, size of its local workforce, etc. LD will then invite LAB members to give views on the recommendation made by LD. The Commissioner for Labour will thoroughly assess various factors before approving or refusing the application concerned for importation of labour as appropriate.

Way Forward

7. LD will review the enhanced measures (including the suspension of the general exclusion of the 26 job categories and unskilled/low-skilled posts) prior to lapse of the two-year period of the enhancements.

8. Members are invited to note the content of this paper and offer comments.

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operation with the Hong Kong Special Administrative Region. The list of enterprises can be found at the website of the Ministry of Commerce of the Mainland: http://zsmcorp.mofcom.gov.cn/zsmbgacommon/zsmbga_innerCorp_hk_list.

**List of Job Categories Normally Excluded
from the Supplementary Labour Scheme**

1. Sales Representative	14. Presser
2. Sales Assistant	15. Hair Stylist
3. Waiter/Waitress	16. Warehouse Keeper
4. Receptionist	17. Cutter
5. Cashier	18. Cutting Room Operative
6. Junior Cook	19. Inspection Operative
7. Food Processing Worker	20. Delivery Worker
8. Clerical Worker	21. Driver
9. Teller	22. Demolition Worker
10. Computer/Key Punch Operator	23. Mason
11. Telephone Operator	24. Spray Paint Worker
12. Linen Attendant	25. Drain Layer
13. Washer	26. Leakage Worker