

Labour Department : Employment Programme for the Elderly and Middle-aged 《Application Guidelines》 and 《Preliminary Application Form for On-the-Job Training》

《Application Guidelines》

Introduction

- The Employment Programme for the Elderly and Middle-aged (EPEM) encourages employers to engage unemployed job seekers aged 40 and above and provide them with on-the-job training (OJT). Upon completion of OJT under EPEM, the employers may apply for **training allowance for 3 to 6 months (for employee aged 40 to below 60) or 6 to 12 months (for employee aged 60 or above)**.
- The amount of OJT allowance offered is as follows:

Type of Post	Age of Employee [^]	Amount of OJT Allowance* (per month per employee)	
		Monthly salary of the post is below \$6,000	Monthly salary of the post is \$6,000 or above
Full-time Post	40 to below 60	\$2,000	\$3,000
	60 or above	50% of the employee's salary of the month, with the maximum amount up to \$4,000	
Part-time Post#	40 to below 60	25% of the employee's salary of the month, with the maximum amount up to \$3,000	
	60 or above	50% of the employee's salary of the month, with the maximum amount up to \$4,000	

[^] Age of employee at the commencement of employment.

* Under EPEM, when computing the salary of the job, any items which is of a gratuitous nature, or is payable only at the discretion of the employer, or is conditional in nature (e.g. good attendance allowance, good performance bonus, commission, end of year payment, etc.), irrespective of how it is designated or calculated, should be **excluded**.

Working 18 hours to less than 30 hours per week will be defined as part-time post.

Job Seeker's Eligibility

- The job vacancy must be filled by a job seeker eligible for EPEM [i.e. (i) aged 40 or above at the time of employment and has an unemployment period of not less than 1 month within 1 year prior to the commencement date of employment, and (ii) has registered with Job Centres of the Labour Department (LD)] who commences employment after the vacancy has been registered at LD.
- There is no relative or prior employment relationship between the job seeker and the employer.
- An employer is only allowed to submit one application for OJT allowance for each job seeker placed. The application for training allowance will be rejected if the employer has applied for other employment programme(s) of LD (except the Work Trial Scheme) for the same employee.

Employer's Eligibility

- The employer has to hold a valid Business Registration Certificate, Certificate of Registration of a School or other recognized license (payee of OJT allowance will tally with the name of employer as appeared on such certificate or license).
- If the employer involves performance of outsourced services of government departments/statutory bodies and the concerned tender contracts contain mandatory terms on employment conditions (such as wage rate and working hours) of non-skilled workers, the employer must observe such terms when job seekers are placed into these positions. LD may request the employer to submit relevant documents for verification.

Requirement on Job Vacancy

- The concerned **full-time** or **part-time** permanent job vacancy should be registered with LD.
- The wage rate offered to the employee should comply with the Minimum Wage Ordinance, at par with the market level and no less favourable than the employment terms stated in the vacancy order displayed by LD.

Application Requirements

- After the job seeker obtains relevant vacancy information through LD and got employed, the employer should submit a completed "Preliminary Application Form for On-the-job Training" together with supporting document on the salary and hours of work of the job (such as a signed employment contract) to EPEM within (i) **3 months** from the date when the job vacancy is posted at LD and (ii) **the first month** after the commencement date of employment of the employee. If the concerned employee does not hold a valid registration with LD, the employer shall arrange he/she to register at any Job Centre of LD as soon as possible.

Application Procedures

▼

Employers register full-time or part-time permanent vacancies at LD.

▼

Job seekers obtain relevant vacancy information from LD. Depending on the application method selected by employers, job seekers apply for the post direct or through referrals of LD.

▼

Employers employ suitable job seekers.

▼

If the job seeker does not hold a valid registration with LD, the employer shall arrange he/she to register at LD as soon as possible.

▼

Employers have to submit the "Preliminary Application Form for OJT", together with supporting document on the salary and hours of work of the job (e.g. the signed employment contract), to LD within (i) **3 months** after the relevant job order is posted at LD and, (ii) **the first month** after commencement of job seeker's employment.

▼

After verification, LD will notify employers by issuing a "Letter of Approval-in-Principle". The commencement date of OJT will be specified in the letter and under no circumstances will this date be earlier than the issue date of the letter.

▼

Upon receipt of the "Letter of Approval-in-Principle", employers shall then commence the approved OJT according to the date specified.

▼

After completion of the approved OJT, employers should submit the "Assessment-cum-Claim Form" and salary & attendance records of the employee timely.

▼

Upon verification, OJT allowance will be granted to the employer in a lump sum.

▼

LD reserves the final right to approve the preliminary application for OJT, to determine the length of OJT period, to grant OJT allowance and its amount. In case of disputes over the application or interpretation of terms and clauses of EPEM, the authority of final decision rests with LD. The employer and the employee shall submit to the decision of LD.

11. **In general, OJT lasts for 3 months for employee aged 40 to below 60; and 6 months for employee aged 60 or above.** Subject to the approval of LD with assessment on the nature of the post and business, experience of the employees and mentors, and mode and content of the training, etc., **the OJT period may be extended to a maximum of 6 months and 12 months respectively** for deserving cases. To apply for OJT longer than 3 months (employee aged 40 to below 60) or 6 months (employee aged 60 or above), the employer should obtain a “Training Plan” from LD for completion and submission together with the “Preliminary Application Form for On-the-job Training”.
12. If the employment of the concerned employee has just been terminated by the previous contractor upon expiry of an outsourced service contract and is now engaged by the employer in the same position, the employer is required to submit a “Training Proforma” and written explanation on the provision of OJT to the concerned employee. LD may also require other employers applying for EPEM to submit “Training Proforma” for examination. Employers who have submitted “Training Plan” under paragraph 11 above will be exempted.
13. Upon verification of the application, LD will issue a “Letter of Approval-in-Principle” to the employer. The employer should only commence the approved OJT under the EPEM upon receipt of this Letter. The approved name of employer, OJT period, name of mentor, employee’s post and other employment terms and conditions shall be based on the information at the time the “Letter of Approval-in-Principle” is issued. If the actual situation is different in future, LD reserves the right to determine whether to grant OJT allowance and its amount.
14. LD will provide copies of the preliminary application form and relevant training forms (if applicable) submitted by the employer to the employee concerned.

Payment of OJT allowance

15. Upon completion of the whole OJT period, the employer should submit the “Assessment-cum-Claim Form” signed by both the employer and employee and salary and attendance records **no later than 1 month** after the end of wage period for the last month of OJT period.
16. If the employment ends before completion of the approved OJT period, OJT allowance will **not** be granted if the OJT period underwent by the employee is less than 1 month. For cases where the OJT period is more than 1 month, LD reserves the right whether to grant OJT allowance and its amount. Employers who wish to apply for OJT allowance should submit the “Assessment-cum-Claim Forms” signed by both the employer and employee, together with salary and attendance records, to LD for consideration as soon as the employment has been terminated.
17. Except for statutory holidays, public holidays and rest days, OJT allowance will **not** be granted for days of leave or absence of any kind of the employee. If the salary and/or other employment terms and conditions of the job is different from the information at the time the “Letter of Approval-in-Principle” was issued, LD reserves the right to determine whether to grant OJT allowance and its amount. Upon verification of the information submitted, OJT allowance will be granted to the employer in a lump sum by cheque.
18. Each employer can submit a maximum of 80 “Assessment-cum-Claim Forms” for each quota year, i.e. 29 June to 28 June of the next year. Registered quota for submitted “Assessment-cum-Claim Forms” shall not be cancelled or re-used, irrespective of whether the forms are finally approved or not. When the registration quota for 80 submissions is met, LD will refuse further “Preliminary Application Form for On-the-job Training” and “Assessment-cum-Claim Forms” already submitted, or submitted thereafter within the relevant year by the same employer, and other OJT cases still underway. Re-submission of refused OJT applications due to quota filled in the following year will be rejected.

Employer’s Responsibility

19. There must be direct employment relationship between the employer and employee. The employer must undertake all legal responsibilities as an employer under the Minimum Wage Ordinance, the Employment Ordinance, the Employee’s Compensation Ordinance and other relevant ordinances.
20. The employer has to undertake not to displace existing staff of the same position with the newly placed employee.
21. During the approved OJT period, the employer has to provide OJT to the employee and assign an experienced staff as mentor of the employee. Each mentor should coach no more than 10 employees at the same time.
22. During the course of OJT, the salary and/or other employment terms and conditions of the job should be no less favourable than the situation when the “Letter of Approval-in-Principle” was issued. The employer should be responsible for the costs of all operational and administrative expenses, as well as the depreciation of all assets and equipment. No fee or deposit, under whatever title, should be collected from the employee.
23. The employer and the employee shall provide true and accurate information. LD will conduct on-site inspections to the workplace and require the employer to produce relevant documents, such as Business Registration Certificate, employment contracts, wage and attendance records, MPF records, training records, employer’s return of remuneration and pensions and other information for examination.
24. Application for OJT allowance will be rejected if the employer fails to comply with any requirements set out in this Application Guidelines, or fails to provide on-the-job training as approved under EPEM, or fails to discharge legal responsibilities as an employer under the Minimum Wage Ordinance, the Employment Ordinance, the Employee’s Compensation Ordinance or other relevant ordinances, or fails to provide information timely as required by LD, or provides false or erroneous information. LD may refer the case to other divisions of LD and/or other government departments/statutory bodies for follow-up.

Points to Note

25. For submission by post, please ensure sufficient mailing time and postage to make delivery in order. Underpaid mail will be rejected.
26. LD reserves the final right to approve preliminary application for OJT, to determine the length of OJT period and to grant OJT allowance and its amount. In case of disputes over the application or interpretation of terms and clauses of the EPEM, the authority of final decision rests with LD. The employer and the employee shall undertake to submit to the decision of LD.
27. This 《Application Guidelines》 will be updated at times and the terms should be subject to the latest version. For enquiries, please contact the EPEM Hotline at 2150 6398 (address: 10/F., Kowloon East Government Offices, 12 Lei Yue Mun Road, Kwun Tong), or visit the EPEM dedicated webpage on the Interactive Employment Service website at www.jobs.gov.hk.

**Labour Department - Employment Programme for the Elderly and Middle-aged
(Programme Hotline : 2150 6398, Fax : 2391 3937)**

Attention:

1. Before completing this form, employer and employee should refer to the "Application Guidelines" of the Programme.
2. This form should be submitted within (i) 3 months from the date when the job vacancy is posted at Labour Department and (ii) the first month after the commencement date of employment of the employee. Please fax the completed form together with supporting document on the salary and hours of work of the job (e.g. the signed employment contract) to the Programme Office. Please keep the fax-generated logsheet that shows the successful transmission record. For submission by post, please ensure sufficient mailing time and postage to make delivery in order. Underpaid mail will be rejected. If you do not receive the acknowledge receipt from the Programme Office within 2 working days, please call our Programme hotline.
3. For employment commenced before 1 Sept 2018, the allowance for employer per month per employee is up to \$3,000 with 3 to 6 months on-the-job training period. Please call our Programme hotline for enquiry.

(* Please delete as appropriate)

Part I : To be completed by Employer

1. Our company/organisation has employed the following job seeker as a direct employee. We would like to provide him/her with On-the-Job training (OJT) and apply for training allowance. Details are as follows:

(The employee must be aged 40 or above at the time of employment, has an unemployment period of not less than 1 month within 1 year prior to the commencement date of employment and has registered with the Labour Department (LD). A copy of this form submitted by the employer will be provided to the respective employee.)

Name of company/ organization : _____ LD Job Order No.: _____ Name of company's representative: _____ Post : _____ Contact no. : _____ Fax no. : _____	Employee's name : _____ Employee's ID No. : _____ Employee's date-of-birth : _____ Employee's post : _____ Employee's commencement date of employment : _____ Employee's _____ hours per day, working hour : _____ days per week
---	--

BRC / Certificate of Registration of a School / Recognized license*
number : _____
Date of expiry : _____

Salary of employee's post : \$ _____ (Monthly/Daily/Hourly*)
(Please submit supporting documents on the salary and hours of work of the post, e.g. the signed employment contract)

plus Commission/Allowance/Others* :
\$ _____

(The employer has to hold a valid BRC, Certificate of Registration of a School or other recognized license. The payee of OJT allowance will tally with the name of employer as appeared on such certificate or license.)

2. Was there any employment relationship between your company/organization and the employee prior to the current employment?
 - There was no prior employment relationship between us.
 - There was prior employment relationship between us. (Details: _____)
3. Does your company/organization involve in the provision of outsourced services for the above post of the employee?
 - Yes [name of govt dept / statutory or public body / private company*: _____; contract period: from _____ to _____; service locations under the contract: _____]
 - No
4. Was the employee employed by the previous services contractor and is now engaged by your company/organization in the same post?
 - Yes, the employee's employment with the previous contractor was terminated on _____ and the workplace was _____ (e.g. name of housing estate/building/cultural or recreation amenity, etc.) *(Please contact the Programme Office for a "Training Proforma" for completion.)*
 - No
5. Our company/organization intends to provide the following OJT items to the employee: (Items with below are mandatory, please select at least 2 other items among the remaining items)

<input checked="" type="checkbox"/> Company structure, business nature & human resources policy	<input type="checkbox"/> Occupational safety and health
<input checked="" type="checkbox"/> Product and service knowledge	<input type="checkbox"/> Computer or equipment operations
<input checked="" type="checkbox"/> Employee's role and duties	<input type="checkbox"/> Customer service
<input checked="" type="checkbox"/> Workflow, procedures, knowledge & skills of work	<input type="checkbox"/> Workplace hygiene
<input checked="" type="checkbox"/> Assignment of a Mentor (please go to question 6 for Mentor's information)	<input type="checkbox"/> Others : _____ (Please specify)

