

展翅青見計劃



Youth Employment and
Training Programme



Employers' Manual 6 to 12 months On-the-job Training Programme Year 2023/24

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* Please note that the Programme Office reserves the right to make changes to the requirements and regulations of the “Youth Employment and Training Programme” (YETP). If there is any query, or inconsistency between the content of this Employers’ Manual and the requirements or regulations in the “On-the-job Training Vacancy Registration Form – Notes to Employers”, the most updated version of “On-the-job Training Vacancy Registration Form – Notes to Employers” shall prevail.

** For Chinese version of Employers’ Manual, please contact the Programme Office at 2112 9932 or download direct from the Programme website (www.yes.labour.gov.hk)
如欲索取僱主手冊的中文版本，請聯絡計劃辦事處（電話：2112 9932）或於計劃網頁（www.yes.labour.gov.hk）直接下載。

“Outstanding Employers · Nurture Talents”

The Government attaches great importance to youth employment. Noting that young people with no working experience would encounter great difficulty in securing their first job, the Labour Department launched the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) which were later integrated into YETP. YETP provides a comprehensive platform of job search with one-stop and diversified pre-employment and on-the-job training for young school leavers aged 15 to 24 with educational attainment at sub-degree level or below, who are ready to enter the workforce. YETP enables young people to enrich their job skills and experience so as to enhance their employability. Over the years, the programme benefits over 240 000 young people on one hand, and assists employers to recruit and nurture young talents, resulting in a win-win situation.

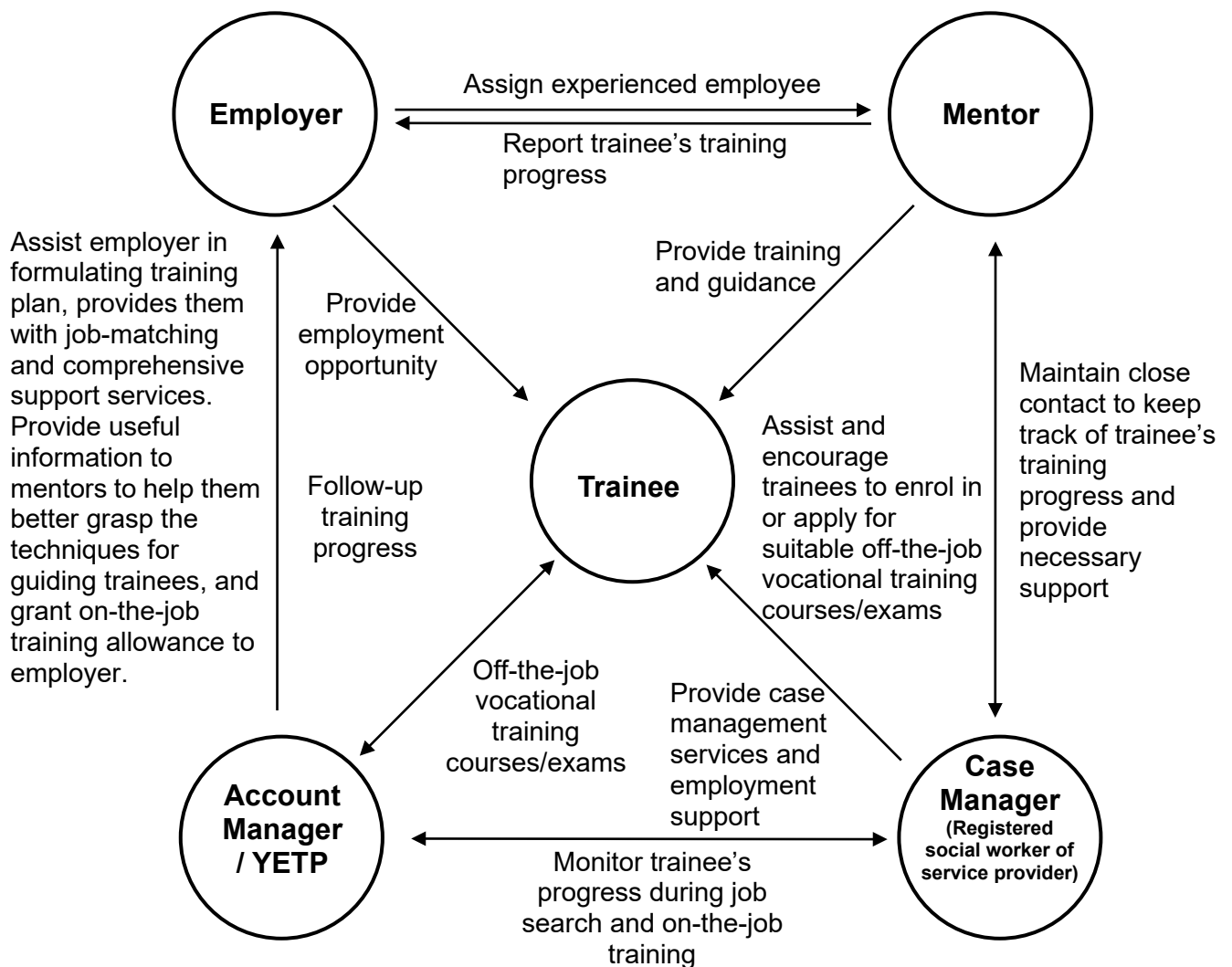
The success of the YETP heavily relies on the concerted support of employers, social services organisations and other sectors. Employers’ participation is of utmost importance. Young people lack of working experience and job skills during their transition from school to society make them more difficult to grasp job opportunities. The Programme enables employers to gain multi-benefits as it will not only raise the quality of local human resources, but also assist employers to nurture talents necessary for organisational development and to establish a positive image for enterprises.

The Programme offers a series of support services including to assist employers in formulating on-the-job training plans, to provide employers with tailor-made job-matching and comprehensive support services during on-the-job training period. Besides, the Programme also sets up a dedicated area called “Service Station for Mentors” (<https://www.yes.labour.gov.hk/Employers/Employer/EmpOJTMentor?c=en>) in the Programme website (www.yes.labour.gov.hk) which provides useful information to employers. This Employers’ Manual provides employers with administration and financial guidelines on on-the-job training facilitate them to handle related operations.

YETP Office
Labour Department
September 2023

Part 2: OUR PARTNERS

Apart from the Labour Department, participations of employers and service providers are of crucial importance in the implementation of the YETP. The relationships and roles among our partners are set out below:



Part 3: ROLES OF EMPLOYER, MENTOR, CASE MANAGER AND ACCOUNT MANAGER

3.1 Role of Employers

3.1.1 Participating employers shall:

- 3.1.1.1 provide on-the-job training vacancies by offering 6 to 12 months on-the-job training to YETP trainees. The on-the-job training vacancies should possess skill requirements which can be acquired through on-the-job training;
- 3.1.1.2 appoint their staff who have relevant working experience as trainees' mentors (a mentor is recommended to lead only a small number of trainees) to provide training for trainees. Employer shall also assist mentors in formulating suitable training plans for the trainees;
- 3.1.1.3 provide trainees with suitable on-the-job training opportunities and a safe working environment. Duties of on-the-job training vacancies should not be performed in dangerous working environment or wholly outside Hong Kong. The nature of work should not relate to / be used for immoral / unlawful activities;
- 3.1.1.4 engage trainees as direct employees, observe and comply with the Employment Ordinance, Employees' Compensation Ordinance, Mandatory Provident Fund Schemes Ordinance, Minimum Wage Ordinance, Sex Discrimination Ordinance, Disability Discrimination Ordinance, Family Status Discrimination Ordinance, Race Discrimination Ordinance and all relevant Regulations (Please refer to Annex 1 for enquiry details);
- 3.1.1.5 employ trainees at a reasonable wage level; the wages must be commensurate with the duties of the on-the-job training vacancies and comparable to market rates and wages of similar training posts under the Programme;
- 3.1.1.6 not to arrange any no pay training or try out trainee(s) before offering employment, or arrange workplace attachment training;
- 3.1.1.7 allow trainees to attend relevant off-the-job vocational training courses and examinations approved by the YETP Office. Employers shall, if necessary, allow flexible job arrangements to facilitate trainees to attend such courses and examinations and must not deduct their wages;
- 3.1.1.8 award a certificate specifying the skills/ qualifications attained and the period of on-the-job training to trainees upon completion of the on-the-job training;
- 3.1.1.9 undertake not to displace existing staff with trainees during the on-the-job training period;
- 3.1.1.10 possess all valid licenses required for the employers' business, and ensure all information provided is true and accurate; and

Part 3: ROLES OF EMPLOYER, MENTOR, CASE MANAGER AND ACCOUNT MANAGER (Continued)

3.1.1.11 comply with requirements stipulated in the Minimum Wage Ordinance of which wages payable to trainees of the post, to whom the ordinance applies, in respect of any wage period should be no less than the Statutory Minimum Wage (SMW) rate.

3.2 Role of Mentors

3.2.1 During on-the-job training period, mentors shall:

- 3.2.1.1 assist trainees to familiarise themselves with the working environment and regulations;
- 3.2.1.2 guide trainees to build up good relationships with colleagues;
- 3.2.1.3 guide trainees to handle the job related matters and to encounter difficulties at work;
- 3.2.1.4 teach trainees relevant work skills and use of facilities at workplace;
- 3.2.1.5 assess trainees' work performance and discipline, and provide appropriate counselling and advice whenever necessary;
- 3.2.1.6 praise trainees when their performance meets expectation;
- 3.2.1.7 assist trainees to understand the company culture and thus enhance their sense of belonging;
- 3.2.1.8 act as a bridge between employers and trainees and thus foster their mutual understanding; and
- 3.2.1.9 maintain close contact with case managers so as to provide support and assistance for trainees in achieving better performance at work.

3.2.2 The Programme Office encourages mentors to maintain close contact with case managers for helping trainees adapt to the work environment and to enhance their sense of belonging to the company. Good communication and interaction facilitate employers to train their staff, assist trainees in developing their potentials and improving their performance, as well as reduce turnover of trainees.

Part 3: ROLES OF EMPLOYER, MENTOR, CASE MANAGER AND ACCOUNT MANAGER (Continued)

3.3 Role of Case Managers

- 3.3.1 To enhance the training effectiveness, a case manager, who is a registered social worker of a service provider, will be assigned to each trainee by the Programme Office (except some special employment projects). Case managers provide personalised career counselling and employment support services for trainees, including pre-employment assessment, formulation of personal training and career plan, job-matching, on-the-job support and review, etc.
- 3.3.2 Case managers are supervised by their respective service providers. Case managers also serve as an important bridge of communication between employers and trainees.
- 3.3.3 Before job-matching, case managers shall assist trainees in understanding the employment market situation and assessing their career interests, personalities, emotional intelligence, and entrepreneurship potential so as to formulate an appropriate training and career plan that suits their needs.
- 3.3.4 During on-the-job training period, case managers shall maintain close contact with trainees in order to understand the work of trainees, assist them in adapting to the work environment, establishing goals, and handling relationship with colleagues, and assist and encourage trainees to enrol in or apply for suitable off-the-job vocational training courses/examinations. Case managers shall contact trainees' employers/mentors regularly to understand trainees' performance and provide necessary support for them.

3.4 Role of Account Managers

- 3.4.1 Programme Office will assign an account manager to assist each employer in the provision of on-the-job training vacancies and related arrangements, and provide them with appropriate services and comprehensive supports.
- 3.4.2 Account managers are responsible for assisting employers in formulating on-the-job training plan, vetting vacancy applications, providing job matching service for employers according to their needs and requirements, and providing relevant support for employers during the on-the-job training period. Employers can approach their respective account managers direct for enquiries or assistance.
- 3.4.3 Account managers will assist employers and mentors to contact case managers if employers have any comments on trainees' performance during the on-the-job training period to assist trainees in completing the on-the-job training.
- 3.4.4 The Programme Office may also arrange interviews with employers, trainees and mentors for trainees' success stories and report at the Programme website, social media, and/or in other publicity materials so as to encourage other young people.

Part 4: JOINING YETP AND PROVISION OF ON-THE-JOB TRAINING VACANCIES

4.1 Participating employers shall take note of the following:

- 4.1.1 The Programme Office will vet every on-the-job training vacancy offered by employers. Details of approved vacancies including the company/employer name will be uploaded to the Programme website for all eligible trainees to apply. If you/your company wish(es) to conceal the company/employer name for operational/business reasons, your job orders would still be processed and displayed. All applications for vacancies shall be referred through the Programme Office.
- 4.1.2 During the vetting of on-the-job training vacancies offered by employers, the Programme Office, whenever necessary, may require employers to produce supplementary documents including (but not limited to) Business Registration Certificate, proof of workplace and interview addresses, detailed training plan, etc. If your company has employed YETP trainee before, it may be necessary to provide also trainees' wage records, attendance records, and records for contribution of Mandatory Provident Fund, as well as tender written declarations and sign confirmation for changes made for the on-the-job vacancies with company chop. The Programme Office will not accept the applications if employers fail to provide sufficient and necessary information.
- 4.1.3 Employers applying for on-the-job training allowance shall be the same as that employing, paying wages, signing employment contracts and making contributions of Mandatory Provident Fund for the trainees. Employers shall not arrange trainees to be employed by other organisations/ companies or transfer trainees to work for other organisations/ companies during the on-the-job training period (irrespective of the owners of the organisations/ companies). When providing on-the-job training vacancies, employers shall ensure information of the employing companies is true and accurate, and tender a copy of valid Business Registration Certificate or Registration of an Organisation of the workplace or other supporting documents.
- 4.1.4 If your company is being a service provider under the Programme and would like to engage trainees who are receiving your case management service to undergo on-the-job training, your company should make all necessary arrangements to ensure that the roles of your company will not confuse the trainees concerned. Prior approval must be sought from the Programme Office before making such arrangement. The Programme Office has the final authority on whether to approve the application concerned or not.
- 4.1.5 If employers have participated in the Programme before, they shall use the same organisation/ company name when submitting new on-the-job training vacancy application and observe the regulations set out in section 4.1.3 above to avoid any unnecessary delay when processing on-the-job training vacancies or on-the-job training allowance applications. For enquiries on past applications, employers shall contact the Programme Office.

Part 4: JOINING YETP AND PROVISION OF ON-THE-JOB TRAINING VACANCIES (Continued)

- 4.1.6 When employers provide on-the-job training vacancies to the Programme Office, their contact person should be the employers themselves or their direct employee. This is to ensure the contact person is eligible to handle the applications on behalf of employers and comply with the regulations and requirements of the Programme.
- 4.1.7 The Programme Office reserves the rights of suspending or rejecting application of on-the-job training vacancy should an employer has breached or being suspected of breaching the Employment Ordinance, the Employees' Compensation Ordinance, the Mandatory Provident Fund Schemes Ordinance, the Minimum Wage Ordinance, the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance, the Race Discrimination Ordinance and/ or regulations of the Programme.
- 4.1.8 When submitting on-the-job training vacancies, employers shall ensure the terms of employment, entry requirements (including requirements on language proficiency), job descriptions, and any amendments thereafter (if any) are relevant, justifiable and do not violate the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance, and the Race Discrimination Ordinance. Employers will commit an offence if they knowingly or recklessly make a statement which in a material respect is false or misleading.
- 4.1.9 Employers shall ensure all activities carried out by their organisations/ companies are lawful, have possessed valid licenses required for their business, and all information provided is true and accurate. The Programme Office may forward relevant information to concerned law enforcement department(s) for investigation shall an employer carry out any activity that is reasonably suspected of breaching the Hong Kong Laws.
- 4.1.10 Approved on-the-job training vacancy will remain **valid for 3 months** (except vacancies of special employment projects). If employers have changed their contact means such as company address, telephone number, fax number, email address, or if employers wish to withdraw the approved vacancy, they shall notify the Programme Office immediately.
- 4.1.11 The Programme Office reserves the right to suspend the display of all on-the-job training vacancies for investigation of complaints and other suspected irregularities, and decides whether to resume the display of the on-the-job training vacancies and the provision of recruitment services after the investigation.
- 4.1.12 The Programme Office has the final authority in approving the on-the-job training vacancy application.

Part 4: JOINING YETP AND PROVISION OF ON-THE-JOB TRAINING VACANCIES (Continued)

- 4.1.13 Employers shall pay the trainee(s) hired to fill the post, to whom the Minimum Wage Ordinance (MWO) applies, wages no less than the SMW rate in respect of any wage period in accordance with requirements of the Ordinance. The Programme Office shall not accept and display vacancies of which the wages offered do not meet the SMW rate. Please visit www.labour.gov.hk/eng/news/mwo.htm for details of the MWO (Please refer to Annex 1 for enquiry details).
- 4.1.14 Acceptance of the on-the-job training vacancy by the Programme Office does not constitute the Labour Department has agreed that vacancy has fully complied with requirements of the MWO. Employers shall be responsible for ensuring the terms of the vacancy are in line with the MWO.
- 4.2 Employers who engage trainees as paid employees in full-time or part-time¹ on-the-job training may apply for a monthly on-the-job training allowance. The amount of such allowance is 50% of the monthly salary of a trainee during the training period, up to a maximum amount of \$5,000 per month per trainee. (Note: subject to approval by the Programme Office)**
- 4.2.1 The aims of setting-up on-the-job training allowance is to subsidise employers' training costs, including the formulation of on-the-job training plan and provision of suitable on-the-job training to trainees, and thus encourage employers to employ young people who have less working experience.
- 4.2.2 Employers must provide trainees with suitable on-the-job training during the training period, through which trainees will be able to acquire the related job skills/ qualifications. The Programme Office may also conduct on-site inspections to the workplaces of trainees and require the employers to produce any relevant document(s) if necessary (Please take note of section 8.3.8 of Part 8 "Financial Arrangements" of this Manual) The Programme Office will withhold the on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy if employers fail to provide suitable on-the-job training for trainees or undertake the responsibilities mentioned in section 3.1.1.
- 4.2.3 The period for on-the-job training will be 6 to 12 months, depending on the nature of work, type of industry and training content. Duration of which shall be approved by the Programme Office.

¹ Full-time post : working no less than 30 hours per week / Part-time post : working 18 hours to less than 30 hours per week

Part 4: JOINING YETP AND PROVISION OF ON-THE-JOB TRAINING
VACANCIES (Continued)

- 4.2.4 Employers shall ensure that they will not receive double subsidy from the Government or other organisations in respect of the on-the-job training allowance claimed under YETP.

Part 5: SELECTION OF TRAINEE(S) AND PROVISION OF ON-THE-JOB TRAINING

5.1 Selection of Trainee(s)

- 5.1.1 Employers shall employ young people with valid trainee identity under the Programme, referred by the Programme Office and provide on-the-job training for them in order to apply for on-the-job training allowance.
- 5.1.2 The Programme Office will upload approved on-the-job training vacancies to the Programme website for eligible trainees to apply. The Programme Office will also introduce suitable on-the-job training vacancies to trainees. If trainees apply or accept the on-the-job training vacancies introduced by the Programme Office, the Programme Office will either arrange interviews or provide trainees' resumes for employers in accordance with the referral arrangement as agreed by employers at the time of registration. If employers consider trainees are suitable after receiving their resumes, they may contact the trainees direct or through the Programme Office to arrange interview or other recruitment procedures.
- 5.1.3 When employers collect personal data from trainees (e.g. request trainees to provide resumes), employers shall observe the Personal Data (Privacy) Ordinance (Please refer to Annex 1 for enquiry details).
- 5.1.4 Employers shall check carefully the identity cards/ passports/ documents of identity for visa purposes/ travel documents of the trainees in order to confirm if they are lawfully employable in Hong Kong before offering employment (Please refer to Annex 1 for enquiry details).
- 5.1.5 **When making selection of trainee(s) or entering into employment with trainee(s), employers shall comply with the following Programme regulations and requirements. Otherwise, the Programme Office will withhold the on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancies:**
 - 5.1.5.1 Trainees generally expect to find a job as soon as possible and their employment situations may change at any time. Employers shall make early consideration of trainees' resumes and/ or interview performances and give prompt reply to their referral results (provision of resumes or interviews) according to the requirements of the Programme Office. Employers' prompt responses enable trainees who are not selected to apply for other on-the-job training vacancies, and also enable the Programme Office to refer other suitable trainees to employers for selection.

Part 5 SELECTION OF TRAINEE(S) AND PROVISION OF ON-THE-JOB TRAINING (Continued)

- 5.1.5.2 Employers are required to notify the Programme Office of the information of the selected trainee(s) (irrespective of the employment duration) so that the Programme Office can keep trainees' on-the-job training records for follow-up and processing on-the-job training allowance applications submitted by employers or applications of other allowances submitted by trainees in the future.
- 5.1.5.3 Before entering into employment with trainee(s), employers shall notify the Programme Office of the information of the selected trainee(s) and the employment commencement date, mentor's name, position and contact number for confirming the on-the-job training arrangements. Employers shall take note that on-the-job training allowance will be granted from the commencement date of the on-the-job training period as confirmed by the Programme Office which may not equal to the actual employment commencement date of trainee(s). Information provided by employers must be true and accurate to avoid unnecessary delay when processing the on-the-job training allowance applications.
- 5.1.5.4 Under any circumstances, employers shall notify the Programme Office of the employment information of trainees **within one month** from the commencement of employment. (Please take note of section 8.2.1 of Part 8 "Financial Arrangements" of this Manual)
- 5.1.5.5 Employers shall employ trainees in accordance with the number of on-the-job training vacancies approved by the Programme Office. Prior approval must be sought from the Programme Office for any amendment in the number of on-the-job training vacancies before employing trainees.

5.2 Provision of On-the-job Training

- 5.2.1 On-the-job training plans vary with different posts and culture of different industries and organisations / companies.
- 5.2.2 Training and experience weigh equally in the Programme. With a view to enhancing trainees' experience and vocational skills, the training may take different forms: training in progressive stages or more intensive at early stages; training followed by practices or job rotation through which trainees may perform different types of duties.
- 5.2.3 Employers shall provide on-the-job training to trainees in accordance with the training proposal approved by the Programme Office, of which prime considerations rest on improving the vocational skills, experience and qualifications acquired by the trainees in duty arrangement.

5.2.4 During on-the-job training period, employers shall comply with the below regulations and requirements of the Programme. Otherwise, the Programme Office will withhold the on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy:

- 5.2.4.1 The terms of employment (including the identity of employer, salary, working hours, workplace, job duties, rest days and holidays and, other allowances or benefits, etc.) vetted and approved by the Programme Office should not be varied. Employers must notify the Programme Office as early as possible for any amendment, addition or deletion of employment terms (even if with trainee's consent). Prior approval on the variation must be sought from the Programme Office before submitting application of on-the-job training allowance. Otherwise, the Programme Office will not accept the amendment, and the on-the-job training allowance amount will be vetted based on the original approved terms of employment. In general, the Programme Office will not accept amendments to the approved terms of employment which reduce trainees' rights and benefits.
- 5.2.4.2 Content and arrangement of on-the-job training should be reasonable and conform to the objectives and requirements of the YETP. Employers are not allowed to charge trainees for any cost of the vacancies and training directly or indirectly or arrange any no pay training during working hours of on-the-job training. Also, employers shall not directly or indirectly solicit money or guarantee deposit in any form or under any title, no matter for reasons of provision of services/ training/ examination/ accessories for work (such as uniform, tool or equipment, safety card), selling of goods, referral of service and so on from trainees.
- 5.2.4.3 Employers shall employ trainees in the organisation/ company as approved by the Programme Office, and shall not arrange trainees to be employed by other organisations/ companies (irrespective of the owners of the organisations/ companies) and shall not transfer the trainee to work for other organisation/ company. The organisation applying for on-the-job training allowance should be the same as that employing, paying wages to and signing employment contracts, making contributions of Mandatory Provident Fund for trainees. In general, participating employers are not allowed to change the identity of employer during the on-the-job training period. For special cases, employers shall seek prior approval from the Programme Office before making changes.

Part 5: SELECTION OF TRAINEE(S) AND PROVISION OF ON-THE-JOB TRAINING (Continued)

5.2.4.4 Employers shall comply with requirements stipulated in the Minimum Wage Ordinance of which wages payable to trainee(s) of the post, to whom the ordinance applies, in respect of any wage period should be no less than the Statutory Minimum Wage (SMW) rate.

5.3 Appointment of On-the-job Mentors

- 5.3.1 Employers are obliged to appoint existing staff with relevant working experience to be the on-the-job mentors of trainees, inform trainees of their respective mentors as soon as possible, and encourage them to strengthen their mutual communication. Throughout the on-the-job training period, the mentor shall provide sufficient training and guidance for trainees.
- 5.3.2 Staff of the Programme Office will approach trainees, keep contact with the employers or mentors during the on-the-job training period to follow up trainees' work situation and provide relevant support.
- 5.3.3 The Programme Office will pass the contact information of mentors to trainees' case managers to facilitate their support to employers and trainees, and assist trainees in completing on-the-job training.

6.1 Employer-employee Relationship

- 6.1.1 Trainees should be engaged as “employees” with employer-employee relationship during the on-the-job training period under the Programme.
- 6.1.2 The employer is required to take out employees’ compensation insurance for employed trainees under the Employees’ Compensation Ordinance and arrange employed trainees to join registered MPF schemes as required by the Mandatory Provident Fund Ordinance. The employer shall observe the Employment Ordinance, the Minimum Wage Ordinance and other relevant Regulations.
- 6.1.3 In general, employers are not allowed to employ their relatives, friends or persons who have worked for the employers (full time, part time or any form of employment / service) as trainees under the Programme. For special cases, employers shall seek prior approval from the Programme Office before offering employment. Otherwise, the Programme Office will withhold the on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy.

6.2 Written Employment Contract

- 6.2.1 The Programme Office advises employers to make reference to the Sample of Employment Contract (Annex 3) prepared by the Labour Department when drawing up written employment contract with trainees so as to avoid unnecessary disputes.
- 6.2.2 When drawing up contracts, employers shall observe and comply with all regulations and requirements of the Programme listed in the “Notes to Employers” of the “On-the-job Training Vacancy Registration Form” and this Employers’ Manual. The employment contract period **may be different** from but in any case should not be less than the on-the-job training period approved by the Programme Office. Otherwise, the Programme Office will withhold the on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy.
- 6.2.3 Content of the contract must:
 - 6.2.3.1 comply with the relevant labour legislations and state clearly the employment terms and conditions, including the period of notice for termination of employment;
 - 6.2.3.2 not contain any term for charging trainees for any cost of the vacancies and training or arranging any no pay training during working hours of on-the-job training;
 - 6.2.3.3 not contain any term for directly or indirectly soliciting money or guarantee deposit in any form or under any title from trainees; and

Part 6: ON-THE-JOB TRAINING ARRANGEMENTS (Continued)

- 6.2.3.4 not contain any term for asking trainees to make termination promise in any form (for example, prohibits trainees to take similar job in other companies of the same industry after they have left service, or ask for compensation in any form from trainees for taking similar job in other companies).
- 6.2.4 **Employers shall ensure that contract terms (including the identity of employer, salary, working hours, workplace, job duties, rest days and holidays, and other allowances and benefits, etc.) should be consistent with those of the on-the-job training vacancies approved by the Programme Office. Employers must notify the Programme Office as early as possible for any amendment, addition or deletion of employment terms (even if with trainee's consent). Prior approval on the variation must be sought from the Programme Office before submitting application of the on-the-job training allowance.** Otherwise, the Programme Office will not accept the amendment, and the on-the-job training allowance amount will be vetted based on the original approved terms of employment. The Programme Office will withhold the on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy if the amendments are not approved by the Programme Office or reduce trainees' original rights and benefits.
- 6.2.5 Employers shall let trainees fully understand all terms on the contract before signing. A copy of the signed contract should be given to trainees for reference and record.

6.3 Conclusion of On-the-job Training Period

- 6.3.1 The Programme's objective is to help trainees to gain working experience and to enhance their vocational skills through on-the-job training. Extension of employment for trainees completed the on-the-job training is strongly recommended if there are suitable vacancies in the employing company.
- 6.3.2 Upon completion of the on-the-job training employment, employers may negotiate the employment terms and conditions with trainees directly if they decide to extend employment for the trainees concerned.
- 6.3.3 **Please note that on-the-job training period may not be equivalent to the employment contract period.** If the employment of trainee(s) is not to be extended before the completion of their employment contract period, employers shall inform trainees in accordance with the notice period stipulated in the employment contract.

- 6.3.4 Employers shall award the Testimonial of On-the-job Training (see sample at Annex 4) specifying the skill/ qualification attained and the period of on-the-job training to trainees upon the conclusion of on-the-job training period, irrespective of whether there is any extension of employment.

6.4 Pre-mature Termination of On-the-job Training

- 6.4.1 Employers or mentors may directly approach trainees' case managers if they consider the trainee's performance during the on-the-job training period unsatisfactory. Case managers will counsel trainees and help them to solve the problems. The names, organisations and contact telephone numbers of case managers are listed in the letter "Confirmation of the on-the-job training arrangements". Employers may also seek assistance from their Account Managers of the Programme Office.
- 6.4.2 If employers or trainees propose pre-mature termination of employment contract before the conclusion of on-the-job training period, employers shall notify the Programme Office as soon as possible to confirm the termination date of on-the-job training. **Employers shall take note that the on-the-job training allowance will be calculated on a pro-rata basis in accordance with the termination date of the on-the-job training (i.e. termination date of the trainee's employment contract)** (details are set out in Part 8 "Financial Arrangements" of this Manual). All the information provided must be true and accurate. Insufficient information may create unnecessary delay when processing the on-the-job training allowance applications.
- 6.4.3 When terminating employment contract, employers or trainees shall inform the other party in accordance with the notice period or by payment in lieu of notice stipulated in the employment contract and all related arrangements shall comply with relevant legislations.
- 6.4.4 More information on the selection of trainees and the arrangements of on-the-job training are available in the "Flowchart on On-the-job Training Employment Arrangements" (Annex 5).

Part 7: OFF-THE-JOB VOCATIONAL TRAINING
COURSES/EXAMINATIONS ARRANGEMENTS

7.1 Off-the-job Vocational Training Courses/Examinations

- 7.1.1 Trainees are encouraged to attend relevant off-the-job vocational training courses or examinations during the on-the-job training period to strengthen their vocational skills and knowledge. Employers should communicate with the trainees in case of time-clash and endeavour to adjust the work arrangement to facilitate trainees' attendance of the courses/examinations. Where employers agree to allow trainees to attend training courses/examinations during working hours, they shall commit to making the flexible arrangements without deduction of trainees' wages or charging any fee from trainees.
- 7.1.2 Employers shall recommend trainees to attend relevant off-the-job vocational training courses or examinations according to trainees' job nature and the respective industry.
- 7.1.3 Employers can pass "Application Form for Off-the-job Vocational Training Courses/Examinations" (Annex 2) ("the application form") to trainees for completion and submission to the Programme Office. Trainees may also download the application form from the Programme website.

7.2 Procedures of Application for Off-the-job Vocational Training Courses/Examinations

- 7.2.1 Trainees shall fill in Part 1 of the application form, and submit it to the **YETP (KLN Office) (Address: 9/F, Kowloon East Government Offices, 12 Lei Yue Mun Road, Kwun Tong, Kowloon)** by fax (fax no.: 2383 6414), by mail or in person **at least two weeks before the commencement of the course or examination concerned.** Late applications or applications with incomplete information will NOT be processed.
- 7.2.2 The off-the-job vocational training courses/examinations trainees enrol in or apply for must be relevant to the on-the-job training, and the course/examination concerned must be provided by a legal and appropriate organisation. Trainees may refer to the website of the Education Bureau (www.edb.gov.hk) or the Continuing Education Fund (www.wfsfaa.gov.hk/cef/en/preparation/providers.htm) for information on course/examination organisations.
- 7.2.3 In general, if the course/examination organisation is not a training institute on the list of the Education Bureau or the Continuing Education Fund, trainees must first consult the case manager, and the case manager should complete Part 1(B) of the application form before submitting it to the Programme Office.

Part 7: OFF-THE-JOB VOCATIONAL TRAINING
COURSES/EXAMINATIONS ARRANGEMENTS (Continued)

- 7.2.4 The Programme Office may consult the employers on the trainees' application when necessary.
- 7.2.5 The Programme Office will inform trainees by phone whether the application has been approved in principle and send the confirmation notice (i.e. Part 1 and Part 2 of the application form) to trainees by mail and to their employers and case managers by fax for reference.

7.3 The Programme Office may approve the applications if :-

- 7.3.1 the vocational skills or qualifications acquired from the course/examination are relevant to the on-the-job training post;
- 7.3.2 the course/examination includes assessment elements (e.g. certificate of pass issued by the course/examination organisation) for evaluating students' performance; or whether the training course comprises designated training hours, and the course organisation would record the attendance of the participants and issue attendance proof/certificate; and
- 7.3.3 the course/examination is provided by legitimate and appropriate organisation and open to public.

7.4 Trainees MUST obtain prior approval from the YETP (KLN Office) in writing before the commencement of the training course or attending the examination in respect of any changes of the course/examination enrolment (such as content, date, time and fee of the course/examination).

7.5 Application for Reimbursement of Off-the-job Vocational Training Course/Examination Fees (also for trainees' reference)

- 7.5.1 YETP will reimburse off-the-job vocational training course/examination fees for the trainee on the basis of actual cost after his/her application has been approved. (The upper limit of reimbursement for each trainee is \$4,000 per each on-the-job training placement, and with no limitation on the number of applications to be submitted by a trainee).
- 7.5.2 **The reimbursement of course/examination fee will only be released to trainees and applicable to the courses/examinations which are not directly or indirectly provided by the employer. Employers are not allowed to charge trainees for any cost of providing on-the-job training in any form, or arrange any no pay training during working hours throughout the on-the-job training.**

Part 7: OFF-THE-JOB VOCATIONAL TRAINING
COURSES/EXAMINATIONS ARRANGEMENTS (Continued)

- 7.5.3 The course/examination fee will only be reimbursed once for the same course/examination within the same on-the-job training period. Trainees cannot apply for enrolment in the same course during the same on-the-job training period if such course has been approved in principle, even if he/she eventually failed to meet the requirements of reimbursement.
- 7.5.4 If enrolment of the course/examination concerned has been approved in principle by the Programme Office, and trainees have attained a course attendance rate of 90% or above, or successfully passed the examination/assessment or acquired the respective qualifications or certificates of the course, trainees may apply for reimbursement of course/examination fees up to \$4,000 for each on-the-job training placement, with no limitation on the number of applications.
- 7.5.5 If the on-the-job training is terminated before commencement of the vocational training course/examination, trainees will not be entitled to any reimbursement of the course/examination fee concerned.
- 7.5.6 Trainees shall make applications by submitting the following documents to the YETP (KLN Office) within 6 months after completing the course or acquiring relevant qualification or certificate:
- 7.5.6.1 Original confirmation notice (i.e. Part 1 and Part 2 of the application form) and the completed Part 3 of the application form;
 - 7.5.6.2 A copy of the certificate of relevant qualifications/pass of examination, or proof of attendance issued by the course organisation (or the original copy of Part 4 of the application form completed by the course organisation to specify the course attendance rate) (the proof must bear the name of the trainee, name of the organisation and the course/examination, and the period/date of the course/examination); and
 - 7.5.6.3 Original official receipt of the course/examination fees (must bear the name of the trainee, name of the organisation and the course/examination, the cost of the course/examination, and chop of the course/examination organisation).
- 7.5.7 Upon approval by the Programme Office, the payment of the reimbursement will be made by a crossed cheque via the Treasury and will be sent to the trainee by post. If the age of the trainee is under 18 and not able to bank in the cheque, the trainee is required to complete the form “Authority for Payment to a Bank” (Form GF179A) and submit it together with a copy of the front page of bankbook or a copy of the ATM card to the Programme Office for arranging payment by bank transfer.
- 7.5.8 **The final right to approve the reimbursement of course/examination fees rests with the Programme Office.**

8.1 Eligibility of Applying for On-the-job Training Allowance

- 8.1.1 **Employers who engage trainees as paid employees in full-time or part-time on-the-job training may apply for a monthly on-the-job training allowance. The amount of such allowance is 50% of the monthly salary of a trainee during the training period, up to a maximum amount of \$5,000 per month per trainee. (Note: subject to approval by the Programme Office)**
- 8.1.2 For full-time on-the-job training, on-the-job training allowance will be calculated on a 30-day basis regardless of the actual number of calendar days in each month. In the event of the service period which employers apply for on-the-job training allowance is less than a complete month, the on-the-job training allowance will be calculated on a pro-rata basis.
- 8.1.3 Each on-the-job training vacancy and engagement of individual trainee must be scrutinized and approved by the Programme Office before an employer becomes eligible to apply for on-the-job training allowance.
- 8.1.4 **The terms of employment (including the identity of employer, salary, working hours, workplace, job duties, rest days and holidays, and other allowances or benefits) vetted and approved by the Programme Office should not be varied. Employers must notify the Programme Office as early as possible for any amendment, addition or deletion of employment terms (even if trainee's consent is obtained). Prior approval on the variation must be sought from the Programme Office before submitting any application for on-the-job training allowance.** Otherwise, the Programme Office will not accept the amendment. The Programme Office will withhold on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy should any non-approved amendment to the employment terms or amendment leading to the reduction of trainees' rights and benefits is to be found.
- 8.1.5 Employers must observe and comply with all regulations and requirements of the Programme listed in the "On-the-job Training Vacancy Registration Form – Notes to Employers" and this Employer Manual. Also, employers shall employ trainees in the company as approved by the Programme Office, and shall not arrange trainees to be employed by other organisations/companies, or transfer trainees to work for other companies (irrespective of the ownership of the companies). The employer applying for on-the-job training allowance should be the same as that employing, paying wages to, signing employment contracts with, and making contributions of Mandatory Provident Fund for the trainees. Otherwise, the Programme Office will withhold on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy.

- 8.1.6 **The final right to approve application for on-the-job training allowance rests with the Programme Office.**

8.2 Notes on Application for On-the-job Training Allowance

- 8.2.1 **Employers must notify the Programme Office of the information of selected trainee(s) and commencement date(s) of employment(s), mentor's name, position and contact number for confirmation of on-the-job training arrangement(s) before entering into employment contract(s) with the trainee(s).** Employers shall note that on-the-job training allowance will only be granted from the commencement date of on-the-job training period as confirmed by the Programme Office, **and the commencement date of on-the-job training period is not necessarily equivalent to the commencement date of employment.** Under any circumstances, employers must notify the Programme Office of the employment information of trainees **within one month** from the commencement date of employment. The Programme Office will not approve application for on-the-job training allowance should an employer fails to (i) notify the Programme Office of such employment; or (ii) notify the Programme Office of such employment within one month from the commencement date of the on-the-job training of the trainee without reasonable explanation.
- 8.2.2 All applications for on-the-job training allowances must be made **within six months** upon completion of the on-the-job training or the last employment date of the trainee (whichever is earlier). Late application will not be processed.
- 8.2.3 Employers must submit applications of on-the-job training allowance in respect of the on-the-job training period in line with that confirmed by the Programme Office. If the trainee leaves service before completion of the on-the-job training, on-the-job training allowance will be calculated **on a pro-rata basis** up to the termination date of the on-the-job training (**i.e. termination date of the trainee's employment contract**).
- 8.2.4 Employers may claim on-the-job training allowance either once every three months (except claims with on-the-job training period less than three months) **or in one go after completion of the on-the-job training period.**

- 8.2.5 **Employers must pay full remuneration to trainees** before submitting the on-the-job training allowance applications concerned to the Programme Office. The Programme Office will withhold on-the-job training allowance and reserve the right of recovering any disbursement of on-the-job training allowance should arrear of wages to trainees is to be found or the employer fails to discharge its legal responsibilities under the Employment Ordinance, the Employees' Compensation Ordinance, the Minimum Wage Ordinance, the Mandatory Provident Fund Schemes Ordinance, or other relevant laws and regulations. Meanwhile, the Programme Office will suspend referring other trainees to the employer and may not accept new registration of on-the-job training vacancy.
- 8.2.6 All application forms submitted must be in **original** bearing the chop of the organisation/company and the signature of the authorized person. Other supporting documents submitted must either be the **original copies or certified true copies** (specifying "Certified True Copy" with signature of the authorized person and organisation/company chop **on each page of the supporting documents**) as well. All amendments on the forms/documents must also bear the chop of the organisation/company and the signature of the authorized person.
- 8.2.7 Alternatively, employers who employ trainees for on-the-job training on or after 30 June 2022 can login their employer account of the Programme's online system via the Employer Zone of the Programme website (www.yes.labour.gov.hk) to submit application for on-the-job training allowance, report pre-mature termination/ completion of on-the-job training and check details of trainees under on-the-job training. For details of employer login account of the online system, please refer to the letter "Confirmation of the on-the-job training arrangements" and relevant email. For any technical problems, please contact the YETP Technical Support Hotline at 2383 3252.
- 8.2.8 All information provided must be true and correct. Any person who wilfully makes false representations or provides fraudulent information commits an offence. The Programme Office might exercise the right to reject the application for on-the-job training allowance concerned and refer the case to other law enforcement department(s) for follow-up.
- 8.2.9 If the application forms are incomplete or the information provided is insufficient, the Programme Office **will not** process the application.

8.3 Procedures of Paper Application for On-the-job Training Allowance

8.3.1 Complete the “Authority for Payment to a Bank” [GF179A (Revised 5/2021)]

8.3.1.1 employers shall complete and return the **original** copy of the “Authority for Payment to a Bank” (“Authorization”) to the YETP (KLN Office) (Address: 9/F, Kowloon East Government Offices, 12 Lei Yue Mun Road, Kwun Tong, Kowloon) by mail or in person in the **first application** of on-the-job training allowance. For any amendments to the information, such as change of bank account, payee name or address, employers shall re-submit the Authorization in **original** with updated information to the YETP (KLN Office) by mail or in person;

8.3.1.2 employers may refer to the sample of the Authorization at Annex 6;

8.3.1.3 employers shall complete the Authorization in the capacity of an organisation/company; information submitted by individuals shall not be accepted by the Programme Office; and

8.3.1.4 the Payee Name must be the same as that of the organisation/company approved by the Programme Office. Employers shall not arrange trainees to be employed by other organisations/companies and shall not transfer trainees to work for other companies (irrespective of the owners of the companies). Also, the organisation/company applying for on-the-job training allowance should be the same as that employing, paying wages to, signing employment contracts with and making contributions of Mandatory Provident Fund for trainees. Otherwise, the Programme Office will withhold on-the-job training allowance and reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy.

8.3.2 Complete the “Salary and Training Record of Trainee” (Annex 7)

8.3.2.1 employers shall complete the “Salary and Training Record of Trainee” (Annex 7) according to the wage period of trainees. Each Annex 7 should include information of one trainee only. Trainees **have to sign** to acknowledge receipt of salary and on-the-job training regarding **each wage period of claim**; and

Part 8: FINANCIAL ARRANGEMENTS (Continued)

- 8.3.2.2 if employers are unable to provide Annex 7 with trainees' signatures, supplementary documents such as original copies or certified true copies (specifying "Certified True Copy" with signature of the authorized person and organisation/company chop **on each page of the supporting documents**) of payroll records signed by trainees, cheque deposit receipts, bank statements showing relevant transactions of wage payments, and/or any other related documents, must be provided to support the applications for on-the-job training allowance.
- 8.3.3 Complete the "Application Form for On-the-job Training Allowance" (Annex 8)
- 8.3.3.1 employers shall complete the "Application Form for On-the-job Training Allowance" (Annex 8) and submit it with the "Salary and Training Record of Trainee" (Annex 7) of the trainees concerned (both in **original**);
- 8.3.3.2 each "Application Form for On-the-job Training Allowance" (Annex 8) may cover a maximum of 10 trainees' on-the-job training allowance claims. If the number of trainees exceeds 10, employer should complete additional "Application Form for On-the-job Training Allowance" (Annex 8) and submit it with "Salary and Training Record of Trainee" (Annex 7) of the trainees concerned.
- 8.3.4 **Original copies of the completed "Application Form for On-the-job Training Allowance" (Annex 8) and the "Salary and Training Record of Trainee" (Annex 7) should be sent to the YETP (KLN Office) (Address: 9/F, Kowloon East Government Offices, 12 Lei Yue Mun Road, Kwun Tong, Kowloon) by mail or in person.** If the application forms submitted are **copies**, the Programme Office **will not process** the application. Employers are suggested to make copies of the application for retention and future reference before submission.
- 8.3.5 Employers shall keep records, such as payrolls, attendance records, wage payment receipts and pay cheque receipts, of the trainees for the purpose of allowance claims. The Programme Office may request employers to produce the originals of the above documents if necessary.

Part 8: FINANCIAL ARRANGEMENTS (Continued)

- 8.3.6 In the course of processing the applications for on-the-job training allowance, the Programme Office may require the employers to provide supplementary documents including (but not limited to) the Business Registration Certificate, payroll records, attendance records, records for contributions of Mandatory Provident Fund of the respective trainees, for the on-the-job training period and submit written declarations where necessary. Employers shall specify “Certified true copy” together with the organisation/company chop and signature of the authorized person on any duplicate or printed copies of documents before submitting to the Programme Office. The Programme Office will not accept the applications if the employer fails to provide sufficient and necessary information.
- 8.3.7 The Programme Office shall examine each application for on-the-job training allowance. Relevant on-the-job training allowance shall be disbursed to the employers by bank transfer via the Treasury if the applications are in order.
- 8.3.8 The Programme Office may also conduct on-site inspections to the workplaces of trainees without prior notice and require the employers to produce any relevant document(s) as set out in section 8.3.6 if necessary. The Programme Office will withhold on-the-job training allowance, reserve the right of recovering any disbursement of on-the-job training allowance and may not accept new registration of on-the-job training vacancy if the employer fails to provide suitable on-the-job training to trainees or discharge the responsibilities as mentioned in section 3.1.1.

Programme Year 2023/24



Employers' Manual

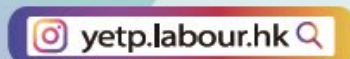


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