



Bringing Transparency to the Hong Kong Employment Agency Industry

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Summary of the Impact

- This KE project focused on bringing transparency to the employment agency industry in Hong Kong and abroad. We partnered with several external organizations and governments to establish standards for proper and ethical agency behavior, and created Hong Kong's first online platform whereby employment agencies can be transparently listed, their services rated, and customers can provide public feedback about their experience. By increasing ethical standards for, and transparency in, the employment agency industry, we are starting to see a shift toward more ethical and legal behavior throughout the industry.

Underpinning Research

- Hong Kong's employment agency industry has been criticized worldwide for its unfair, unethical, and often illegal business practices. The industry overall is very fragmented and difficult to police, making it hard for the Hong Kong government to properly enforce existing regulations. This has been a huge burden on the HK people, as foreign governments, NGOs, and media outlets consistently criticize the HK government's lack of proper enforcement of this industry.
- We spent months researching the employment agency industry, including the identification of all agencies in Hong Kong that are specifically focused on foreign domestic workers. We then aggregated that information and created Hong Kong's first online platform for researching and commenting about Hong Kong agencies.
- We also consulted NGOs (including the IOM) and governments, providing suggestions in their development of professional standards and codes of practice for employment agencies.

Underpinning Research

2. The research and work was undertaken from Sept 2015 and is currently ongoing. Mr. Bishop is one of Hong Kong's foremost experts in issues relating to the HK employment agency industry.

Underpinning Research

3. The Hong Kong employment agency industry has received significant scrutiny over the past few years. The industry is seen both in HK and abroad as the primary facilitator of human trafficking and bonded labor in HK. As a result, foreign governments and NGOs have criticized our EA industry for its unethical and illegal practices, and the HK government is desperately trying to figure out ways to better regulate and police the industry. The UN and other governments – including both HK and Indonesia – are also currently working to produce ethical codes of conduct for the agency industry. Mr. Bishop's work will assist these NGOs and governments in producing effective codes of conduct, and will also provide transparency to workers and employers who utilize agencies to facilitate the migrant worker hiring process.

Underpinning Research

4. This work is innovative because no one has ever attempted to address the entire migrant worker employment agency industry at one time. Mr. Bishop's work focuses on the industry as a whole, attempting to create market-based solutions where regulatory and government processes have previously failed. Mr. Bishop's online agency platform is the first of its kind, not only in HK, but in the entire region. His platform is also the most comprehensive source of agency information in HK, meaning his team knows as much about the agencies in HK as the government that accredits them. By adjusting incentives and creating more transparency for the industry, as well as helping governments know how best to engage and regulate agencies, Mr. Bishop hopes his work will help to eliminate what is currently one of HK's largest black market industries.

Underpinning Research

5. Our research has shown that over 70% of HK employment agencies working with migrant workers are either directly or indirectly engaging in illegal business practices. The HK government has long denied that HK agencies were directly engaging in illegal behavior, but this research clearly shows that to be inaccurate. We can also show that the vast majority of HK people want more regulation of agencies. Finally, we have provided the first comprehensive, online resource for finding, rating, and commenting on employment agencies in HK. Our hope is that this comprehensive resource becomes a benefit to both employers and workers alike, providing enhanced transparency and ethical competition within the marketplace.

Engagement

1. External Engagement

- Mr. Bishop and his students collaborated with a number of different organizations to facilitate the building of our platform, and in conducting our agency research. Many NGOs helped us find people who were willing to engage in agency investigations during their weekend spare time. And a computer programmer very kindly agreed to help develop the online platform for us.
- Mr. Bishop met with several NGO and government leaders – including HK’s Director of the Labour Department and Director for Immigration – to discuss agency practices. Mr. Bishop also participated in multiple news stories (mostly behind the scenes) to help provide evidence of agency illegal behavior.
- Our online platform is available for anyone in the public to use, and allows anyone to anonymously rate or comment on agency practices. Through that process, we are also collecting information about agency practices that are hidden from the public (e.g., information on illegal practices like withholding passports). We plan to share that information with government agencies and NGOs to help in their agency policing efforts.
- Mr. Bishop and his students have produced a number of videos and other learning materials to help educate the public about unethical agency practices.
- Mr. Bishop and his students run a Facebook page that has nearly 100,000 active users relating to migrant worker job placement in Hong Kong. Via their administration of this Facebook page, Mr. Bishop and his students are able to help police unethical employment practices, and disseminate important legal and rights-related information to both workers and employers in HK.

Engagement

2. External Partners

- Multiple labor organizations and NGOs focusing on migrant worker issues, particularly to help with our agency research
- Journalists in both local and international media outlets
- Multiple different governments, including Hong Kong, the Philippines, Indonesia
- The United Nations through the International Organization for Migration

Engagement

3. Innovativeness of the engagement approach

Our engagement approach was extremely innovative because we approached the program from a market-based perspective. Many organizations have tried to police or regulate the agency industry, but no one had ever approached it using a technology-driven market solution. We allowed multiple different stakeholders – who often oppose each other under normal conditions – to work together to achieve a common purpose: the effective monitoring and regulation of the employment agency industry.

Impacts Achieved

1. Beneficiaries

Many people will benefit from this work. It is estimated that every year that employment agency industry steals about HK\$700 million from domestic workers via illegal placement fees. This illegal fee structure creates negative incentives all around, which then negatively impacts both the workers and their employers. About 10% of HK's working population are foreign domestic workers, and they account for a huge chunk of HK's GDP, in large part because they allow local women to further their education and join the workforce. About 30% of families in HK employ domestic workers. Accordingly, since these women are such a huge part of HK's economy, by illegally indebting them, agencies are directly and purposefully hurting HK's economy. They are creating instability in the home, increasing worker debt loads, and intentionally misplacing workers with unsuitable employer families.

By eliminating agency illegal practices, millions of HK people will directly benefit. Obviously foreign domestic workers and their employers will benefit. But so will HK society – and its economy – as a whole.

Impacts Achieved

2. Nature and extent of the impact –

- We were able to successfully launch our online agency platform – the first of its kind in HK and the region, and the most comprehensive source of agency related information around.
- We successfully aided media outlets to publish stories relating to agency industry practices and illegal behavior.
- We created multiple educational videos and other content that can be shared among HK society to help employers and workers understand their rights.
- In May 2017 we plan to host another media/press event to further share some of our student-driven research and education materials.

Impacts Achieved

3. Evidence of Impact:

- Our Facebook page has over 95,000 users, with hundreds added every day.
- We facilitated the creation of news stories that were viewed in countries around the world.
- Our online agency platform is working and is being used by the public to rate agencies.
- The HK government has recently announced that they hope to increase the penalties against agencies that are engaging in the illegal practices highlighted by our research.
- Mr. Bishop consulted the Hong Kong government concerning the drafting of the recently institutionalized Hong Kong Code of Practice for Employment Agencies, including involvement in closed-door, by invitation only meetings with the Director of the Labour Department and the Immigration Department.

Our Facebook Group:

Hong Kong domestic helper jobs (OFW, FDH)

- Over 95,000 users
- Hundreds of new users added every day
- We have the ability to influence tens of thousands of workers and employers concerning ethical and legal hiring practices

Our Online Agency Platform

www.Migrasia.org

- HK's most comprehensive source of information about the domestic worker employment agency industry
- Interest from the IOM and other international NGOs to scale the website across different countries in Asia
- Migrasia's [Facebook page](#)

Example of media story facilitated
by our agency research:

Marginalized Women – Domestic
helpers in Hong Kong

The Hong Kong Code of Practice for Employment Agencies

- The [Code](#)
- Official [Press Release](#) – Jan 13, 2017
- SCMP [article](#)

Between a Rock and a Hard Place

左右為難、進退兩難：香港中介盤剝外傭實錄

- This 21 minute movie was released in October 2016 to highlight the illegal business practices that most HK agencies engage in when dealing with foreign domestic workers.
- More information: [here](#) and [here](#)

* Note: we were not involved in the making of this film. It is used here to show the timeliness of our work, and to show the significant and negative international media pressure concerning HK's employment agency industry.

Examples of Hong Kong's Negative Image from Illegal Agency Practices

The U.S. Government's 2016 [Trafficking in Persons Report](#) downgrades Hong Kong again to a "Tier 2 Watch List" Country, which is almost the worst rating a country can get. The HK government was very embarrassed by this, and issued a scathing reply. From the TIP Report:

*Employment agencies generally charge job placement fees in **excess of legal limits**, which may lead to **situations of debt bondage** of workers in Hong Kong. The accumulated debts sometimes amount to up to 80 percent of workers' salaries for the first seven to eight months of employment. Some workers are unwilling to report abusive employers for fear of losing their jobs and being unable to repay their debts; some employers or employment agencies **illegally withhold passports**, employment contracts, or other possessions until the debt is paid. An NGO report released in 2016 estimated that as many as **one in six foreign domestic workers are victims of labor exploitation**.*