



WORKER RIGHTS · HONG KONG

Working in Hong Kong: Your Rights

What every worker should know, in plain language. No legal jargon.

Read this first — Hong Kong law protects your pay packet in detail: a statutory minimum wage reviewed every year by formula, final pay within 7 days, and severance and long-service payments with real formulas behind them. It leaves your HOURS almost entirely to your contract: there is no statutory standard working week and no statutory overtime premium. And since January 18, 2026, the door to most of these rights is wider — the old '418' continuous-contract test has been replaced, so regular part-time work can now qualify. This guide is for workers based in Hong Kong.

General information only — not legal advice.

As of October 2026 · Prepared by JYNX Recruiting · jynxrecruiting.com

The Wage Floor

- The Statutory Minimum Wage is HK\$43.1 an hour, in effect since May 1, 2026 (L.N. 17 of 2026).
- The rate is now reviewed EVERY year under a published formula tied to inflation and economic growth. The next rate takes effect May 1, 2027 — the figure has not been announced, and anyone quoting you one is guessing.
- Your employer must keep total-hours records for employees earning under HK\$17,600 a month.

The Key That Unlocks the Ordinance

- Most Employment Ordinance rights require a CONTINUOUS CONTRACT. Since January 18, 2026, the test is: you have been employed by the same employer for 4 or more weeks, AND in each week you worked 17 or more hours — OR you worked 68 or more hours across the four-week period as a whole.
- The old rule — 18 hours in each of four consecutive weeks, the '418' test — survives only for periods BEFORE January 18, 2026. The change is not retrospective: a schedule that straddles that date is judged under the old rule for the part before it and the new rule for the part after.

Shorter or more fragmented regular work now qualifies. If your hours are regular but scattered, check the 68-hour four-week test before assuming you are outside the Ordinance.

Hours: What the Law Does Not Set

- Hong Kong has no legislated standard working hours, no maximum working week, and no statutory overtime premium. None.
- Your hours, and whether overtime pays anything extra, are whatever your contract or your employer says they are. That makes the contract the whole game on hours — read it before you sign.

Rest Days

- Under a continuous contract, you are entitled to at least one rest day in every 7 days.
- Whether a rest day is PAID is a matter for your agreement with your employer — the Ordinance does not mandate paid rest days. Check your contract on this point before you sign it, not after.

Statutory Holidays

- There are 15 statutory holidays in 2026 — and the list is still growing by law: 16 from 2028, when Good Friday is added, and 17 from 2030, when the day following Good Friday is added.
- Holiday pay is owed if you have been under a continuous contract for the 3 months before the holiday.

Annual Leave

- Paid annual leave under a continuous contract rises with your service: 7 days after your first year, then one more day for each additional year, up to 14 days at 9 years of service and beyond.

Sickness Allowance

- Paid sick days accumulate at 2 days per month in your first year of service, then 4 days per month, up to a bank of 120 days.
- The sickness allowance is four-fifths (4/5) of your average daily wages. It is payable when you are out for at least 4 consecutive days with a medical certificate — pregnancy-related checkups and confinement are excepted from that four-day rule.

Maternity and Paternity Leave

- Maternity leave is 14 weeks, paid at four-fifths (4/5) of your average daily wages if you have 40 or more weeks of service. Weeks 11 to 14 are subject to a HK\$80,000 total cap, reimbursable to the employer by the Government.
- Paternity leave is 5 days at four-fifths (4/5) pay, with the same 40-week service condition.

Ending a Job

- Notice: in your first month of probation, none may be required. During the rest of probation, at least 7 days, as your contract sets. After probation, the notice period in your contract (minimum 7 days) — or one month if the contract is silent. Payment in lieu of notice is allowed.
- ALL final payments — wages, leave pay, end-of-year payments, severance or long-service amounts — are due within 7 DAYS of the termination date. Wages are likewise due within 7 days of the wage period ending.

Severance and Long Service Payments

- SEVERANCE PAYMENT: after 24 months under a continuous contract, if you are made REDUNDANT.
- LONG SERVICE PAYMENT: after 5 years, if you are dismissed (but not for redundancy or serious misconduct), if you resign at 65 or older, or on the other statutory grounds.
- Both use the same formula: two-thirds of your last full month's wages for each year of service, counting a monthly wage of at most HK\$22,500 — so at most HK\$15,000 per year of service. Both are capped at HK\$390,000 in total. You may qualify for one of them, never both.

MPF offsetting, stated exactly — it comes in three parts. One: since May 1, 2025, your employer can NO LONGER use the mandatory MPF contributions from your post-transition service to offset these payments; that portion is protected. Two: the pre-transition portion can still be offset. Three: voluntary contributions and service gratuities can still be offset against both portions.

MPF: Your Retirement Fund

- The Mandatory Provident Fund takes 5% of your relevant income from you and 5% from your employer, every month.
- If your income is below HK\$7,100 a month, YOUR contribution is exempt — your employer still pays theirs. Above HK\$30,000 a month, both sides cap at HK\$1,500.

Discrimination

- Four ordinances protect you: the Sex Discrimination Ordinance (Cap. 480), the Disability Discrimination Ordinance (Cap. 487), the Family Status Discrimination Ordinance (Cap. 527), and the Race Discrimination Ordinance (Cap. 602).
- Complaints go to the Equal Opportunities Commission — not the Labour Department.
- There is no general age-discrimination ordinance in Hong Kong law.

If Something Goes Wrong

- Start with free conciliation at the Labour Relations Division of the Labour Department — use the branch for the district where you work.
- If conciliation does not settle it, claims go to the Labour Tribunal; minor claims run through MECAB, the Minor Employment Claims Adjudication Board.
- Labour Department hotline: 2717 1771.