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HKSAR govt considers law to enhance food deliverers' rights, benefits

By Atlas Shao in Hong Kong



Hong Kong Secretary for Labour and Welfare of the Hong Kong Special Administrative Region Chris Sun Yuk-han gives advice to students of the Chinese Foundation Secondary School's speech day on Dec 10, 2024. (PROVIDED TO CHINA DAILY)

Hong Kong's labor chief said on Wednesday that the government will introduce a proposal this year to further enhance the rights and benefits of food deliverers working for digital platforms.

In response to questions from lawmakers, Secretary for Labour and Welfare Chris Sun Yukhan said the proposal will be drafted based on the data and views collected by the government through various channels, including surveys, and refer to a judgment delivered by the Supreme People's Court on determining the relationship between platform companies and workers.

The authorities will consider reinforcing protection for "platform workers" through legislative means, Sun said.

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The term "platform workers" often refers to people who use an online platform to connect with clients. Examples include ride-hailing drivers and food-delivery workers.

A government report in March found that about 12,900 people were employed in food and goods delivery digital platforms within the 12 months before the statistics. The survey was conducted from December 2023 to March 2024.

In Hong Kong, platform workers are often regarded as self-employed and therefore cannot enjoy benefits listed in the Employment Ordinance and the Employees' Compensation Ordinance, such as paid annual leave, sickness benefits and severance pay.

In a **Legislative Council** (LegCo) meeting on Nov 28, Sun said that compared with ordinary employment relationships, platform work is significantly more flexible, and the contractual terms between platform companies and workers vary. Categorizing them as employees or self-employed people may not be appropriate, Sun said.

The regulations regarding the rights and benefits of platform workers vary in different regions.

In February, Chinese mainland delivery giant Meituan announced it will pay social security insurance for all part-time and full-time delivers beginning in the second quarter this year.

Meituan recruited over 7.4 million deliverers in 2023.

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In Singapore, the Platform Workers Act has been in effect since Jan 1 to provide legislative protection for taxi drivers, delivery workers, and others whose livelihoods depend on online platforms.

Sun said that according to the Labour Department's understanding, platform companies in Hong Kong generally purchase personal accident insurance for their platform workers, and provide safety training and disseminate information on workplace safety to platform workers with a view to preventing and reducing accidents.

The government will keep monitoring the policies and measures on the mainland and other places on the protection for platform workers, and formulate appropriate policies to strengthen the protection for platform workers based on the local circumstances, Sun added.

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