

**Hong Kong Baptist University**  
**Human Resources Office**

**Compliance with the Minimum Wage Ordinance**

Faculties/Schools/Departments/Offices are invited to take note of the following guidelines on staff recruitment and personnel related matters to ensure compliance with the requirements of the Minimum Wage Ordinance (MWO).

**Application**

2. The **MWO applies to all employees**, whether they are monthly-rated, daily-rated, permanent, casual, full-time, fractional-time, part-time, or on visiting terms; and regardless of whether or not they are employed under a continuous contract as defined in the Employment Ordinance (“EO”). Some exceptions which are relevant to the University are shown as follows:

(a) ***Student interns*** – These refer to students\* who need to undergo a period of work arranged by the institution and the work is a compulsory or elective component of the requirements of the full-time education programme; and

(b) ***Work experience students*** during a period of exempt student employment – These refer to students\* who must be under age 26 at the beginning of employment, and the exempt student employment is for a continuous period of up to 59 days per calendar year. (The students must provide a statutory declaration verifying the fact that they have not commenced another exempt student employment period within the same calendar year.)

*[\*students refers to (i) students enrolled in full-time accredited programmes provided by specified local education institutions; or (ii) students enrolling in full-time education programmes for a non-local academic qualification at degree or higher level].*

**Statutory Minimum Wage**

3. **With effective from 1 May 2025, the Statutory Minimum Wage (SMW) is set at HK\$42.1 per hour.** Under the Ordinance, the University, as an employer, is required to ensure that wages payable to an employee in respect of any wage period shall not be less than the amount of minimum wage calculated as follows:

$$\text{Minimum Wage} = \frac{\text{Total number of hours worked by the employee in the wage period}}{\text{the employee in the wage period}} \times \text{SMW rate (i.e. \$42.1)}$$

4. Calculation of minimum wage **excludes** the time that is not hours worked. Hence, payment made to the employee by the University for any time that is not hours worked must NOT be counted as part of the wages payable to the employee. This may include payment for meal breaks, rest days, holidays, annual leave, sick leave, maternity leave, etc. If wages payable to the employee in respect of the wage period are less than the minimum wage, he/she is entitled to be paid the difference (i.e. additional remuneration).

#### **Reference Minimum Wage Level for University Staff under the MWO**

5. The University Council decided to adopt **a reference minimum monthly wage level** for full- time staff under MWO. The reference minimum monthly wage level will **be HK\$11,500 for those with contractual working hours as 39 and HK\$13,100 for those as 45** with effect from 1 May 2025.

#### **Keeping of Record under MWO**

6 Under the MWO, the University is required to **keep records of the total number of hours worked by** an employee in a wage period, if the wages payable (i.e. after exclusion of payment made for any time that is not hours worked) to the employee in respect of that wage period are **less than \$17,200** per month. In this connection:

- (a) the “contractual working hours” as specified in the letter of appointment (i.e., **39 hours per week or 45 hours per week** *excluding* meal breaks) will be taken as the basis for record;
- (b) For “overtime” work as agreed and/or directed by the supervisor over and above the “contractual working hours”, proper record should be maintained by Faculties/Schools/Departments/Offices by using the attached template and sent to the Human Resources Office for record purpose; and
- (c) Supervisors concerned are encouraged to make arrangements, as appropriate and as far as possible, for “time-off” to be taken within the same month of the “overtime” work.

#### **Out-sourcing of Service**

7. Faculties/Schools/Departments/Offices, in out-sourcing service to service providers outside of the University, should ensure that compliance with the requirements of the MWO be included as a condition in the service contracts.

Human Resources Office

May 2025

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*\*The template is not attached herewith but can be found at the Homepage of the Human Resources Office.*

## HONG KONG BAPTIST UNIVERSITY

### Summary Record of Overtime Work

Faculty/School/Department/Office : \_\_\_\_\_

Record Period (Month/Year) : \_\_\_\_\_

Name of Staff	Rank/Position	Hours of Overtime Work as directed by the Supervisor (a)	Hours of Time-Off provided (b)	Outstanding Hours of Time-off (c = a – b)	Remarks

Recorded by : \_\_\_\_\_

Date : \_\_\_\_\_