

Executive Certificate Course on Employment Ordinance and Employment Disputes

8 January - 12 February 2020



EXECUTIVE CERTIFICATE COURSE ON EMPLOYMENT ORDINANCE AND EMPLOYMENT DISPUTES

INTRODUCTION

Executives of Companies/Organizations nowadays cannot avoid facing the rapid changing of human resource management challenges as the transformation of business landscape of Hong Kong and its Employment Laws continue. Now, to manage an organization is more challenging than it was in the past as employees are becoming more aware of their rights and interests in employment. Challenges that could not be avoided and they are difficult to deal with are always related to Termination of Employment Relationship under different circumstances and reasons (no matter they are brought about by employees or they are necessary for the needy situations of the company/organization), and Disciplinary Measures falling short of termination.

The Executive Certificate in Employment Ordinance & Employment Disputes helps you to understand the Employment Related Law of HKSAR and it is tailor-made for executives to understand the area of Lawful, Unlawful Termination of Contract and Disciplinary Measures.

The course consists of five lectures to accommodate the busy schedule of executives. Although it is a short course, each lecture contains concise information of the most up to date Employment Law in Hong Kong, including, substantial amount of leading court cases. They are conducted from the management point of view on how to handle difficult cases of termination and disciplinary measures.

WHO SHALL STUDY THE COURSE?

The course is suitable for executives of companies and organizations in Hong Kong and it is also suitable for persons who would like to prepare themselves to work in the area of Human Resource Management.

BENEFITS IN COMPLETING THIS COURSE

Upon the completion of this course, you will clearly understand:

- The Lawful & Unlawful Modes of Termination of Employment Relationships;
- How to correctly apply the current Employment Ordinance on Termination of Employment Contract;
- The types of Disciplinary Measures that could be applied and their Lawful Procedures

LANGUAGE MEDIUM

English

DATES AND TIME

Wednesday
8, 15, 22 January; 5, 12 February 2020
7:00 pm - 10:00 pm

FEE

HKMA Member: HK\$3,600
Non-member: HK\$3,900

VENUE

CYMA Charity Fund Management Development Centre
The Hong Kong Management Association
2-4/F Pico Tower
66 Gloucester Road
Wanchai
HONG KONG

AWARD OF CERTIFICATE

A participant who has

1. maintained a minimum of 70% overall attendance of total lecture hours; and
2. passed the final project

will be awarded an "Executive Certificate in Employment Ordinance and Employment Disputes".

[Register Now](#)

CONTENTS

1. WAYS OF LAWFUL TERMINATION OF EMPLOYMENT CONTRACT - PART I:

- (a) Mutual Agreement and the essential points of such agreement;
- (b) Expiration of a fixed-term contract;
- (c) Frustration – imprisonment, illness or injury making the performance of the contract impossible;
- (d) Death of a party;
- (e) Dissolution of Enterprise – winding up, appointment of receiver & dissolution of a partnership;
- (f) Change of Ownership of a Business;

2. WAYS OF LAWFUL TERMINATION OF EMPLOYMENT CONTRACT - PART II:

Upon Notice by Either Party – duration and form of notice period according to Employment Ordinance and Common Law.

3. WAYS OF LAWFUL TERMINATION OF EMPLOYMENT CONTRACT - PART III:

Without Notice by Either Party – summary dismissal & constructive dismissal.

4. DISCIPLINARY MEASURES FALLING SHORT OF TERMINATION

- (a) Level of Sanctions;
- (b) Disciplinary measures affecting an employee's remuneration;
- (c) Suspension of employment and its application

5. DISCIPLINARY PROCEDURES

- (a) The Statutory/Lawful requirements of Disciplinary Procedures
- (b) Right to Terminate upon completion of disciplinary process

6. EMPLOYMENT PROTECTIONS

- (a) Wrongful Dismissal at common law and the related common law damages;
- (b) Wrongful Termination under Employment Ordinance and the statutory compensation;
- (c) Unlawful Dismissal and additional Remedies for Unlawful Dismissal;
- (d) Unreasonable Dismissal & the related Remedies;
- (e) Compensation award for Dismissal which is both an Unreasonable & an Unlawful Dismissal;
- (f) Damages for non-pecuniary loss;
- (g) Equitable Remedies

LECTURER

Mr Lawrence Li, Master Degree in Law (LLM), Hon. Chairman of Hong Kong Professional Mediation Association, Accredited Mediator of Hong Kong International Arbitration Center (HKIAC) and Hong Kong Mediation Accreditation Association (HKMAAL), Hong Kong Institute of Bankers & Hong Kong Security Institute Training Program for FDRC Mediators & Arbitrators, Accredited Mediator for Financial Disputes, Accredited Mediator for Building Management cases in the Lands Tribunal, Victim Offender Mediator (VOM), Senior China Consultant of Sheng Tang Greater China Consultancy Company.

Mr Li is an experienced speaker of professional courses ranging from Employment Laws, Intellectual Properties Laws in HK & China, Company Laws & IPO, Taxation Laws, Contract Laws, Criminal & Public Security Laws to Company Risk Management, Forensic Neuropsychology related to personal injuries, etc...

Mr Li used to work in Senior Position of Management and HR in multi-national companies and he has considerable experience in handling relationships with different authorities in China. With almost three decades of wide-ranging experience in management in both HK and China, Li has successful track records in practical resolution of different kinds of disputes in both China and Hong Kong. Mr Li is also actively involved in mediation and he has been particularly successful and experienced in handling Trusts & Probate disputes among family members & close friends, Personal Injuries, Commercial and Land Disputes in both HK and China.

ENQUIRIES

General Enquiry & Enrolment: 2774-8500 or 2774-8501

Email: enrol@hkma.org.hk Fax: 2365-1000

<http://www.hkma.org.hk/pdf/C3006220201P.pdf>.

For course details: Ms Candy Ho on 2774-8554

Register Now

APPLICATION FORM

EXECUTIVE CERTIFICATE COURSE ON EMPLOYMENT ORDINANCE AND EMPLOYMENT DISPUTES

C-30062-2020-1-P 8 January - 12 February 2020

FEE: HKMA Member: HK\$3,600 / Non-member: HK\$3,900

* Applicants should include their HKID card number and fill in all details in block letters, otherwise no MDCU will be given.
The Association will issue certificates based on the details and name format as given in this form.

Name (Mr / Ms) _____ 姓名: _____
(Surname) (Other Names) (中文)

HKID Card No. (For verification of the applicant's identity): _____ Date of Birth (YY/MM/DD): _____

Position: _____ HKMA Membership No.: _____

Company: _____

Address of Company: _____

Job Function (e.g. Accounting), please specify: _____

Nature of Business (e.g. Retail), please specify: _____

Telephone No. (Office): _____ (Residence): _____ (Mobile): _____

E-mail: _____

Correspondence Address: _____

Cheque Number: _____ Cheque Amount: HK\$ _____

Education Level: Doctoral degree Master's degree Bachelor's degree HKMA Diploma Other Diploma
 Matriculation Form 5 / HKDSE Others (Please specify) _____

Total Number of Years' Working Experience _____ Years of Working Experience in Course-Related Field _____

Name & Title of Nominator (if applicable): (Mr / Ms) _____

Nominator email/address: _____

Sponsorship: Self-sponsored Company-sponsored (please fill in the following information if a cheque/ receipt is not attached)

Our company undertakes to pay the course fee for the above applicant

Name of Contact Person (Mr / Ms) _____

Position _____

Telephone No.: _____ E-mail: _____

Signature: _____ Company Chop and Date: _____

From where did you FIRST learn about this Programme?

HKMA Email Mail Newspaper/Magazine (please specify): _____

Email Promotion from Other Websites (please specify): _____ Online Advertisement (please specify): _____

Search Engine (please specify): _____ Social Media (please specify): _____

HKMA Website (Where did you find this information): _____

MTR Station (please specify): _____ Exhibitor: Jobmarket Career & Education (EJEX) Others (please specify): _____

■ **This form together with a crossed cheque payable to The Hong Kong Management Association should be returned to:
Executive Director, The Hong Kong Management Association, 16/F Tower B Southmark, 11 Yip Hing Street, Wong Chuk Hang, Hong Kong.**

Personal Data Collection Statement

1. The personal data of applicants are collected and kept for purposes of processing of applications of course enrolment, course admission, student and member administration, course research and statistical matters.
2. The personal data provided in this form will be used by the Association for direct marketing, including special offers, training and education programmes, awards and competitions, membership, alumni, promotional activities and other services and activities that it may arrange.
3. Applicants wishing for access to and/or correction of personal data may send their written requests to the Association.

If you do not wish to receive information as stated in point 2 of this statement, please indicate your objection by ticking the box. You may at any time send your written requests to the Association.

Applicant's Declaration

1. I declare that the information provided in this form and the attached documents is correct and complete. I authorize the Association to obtain information about my public examination results and records of studies from concerned institutions (if necessary).
2. I understand that the information provided in this form and the attached documents will be used in the admission assessment process and that any misrepresentation, omission or misleading information given may disqualify my application for admission and enrolment in the programme.
3. I have noted, understood and agreed to the contents of the Personal Data Collection Statement.

Notes

1. I understand that all handout materials obtained in class are strictly for my own educational purposes.
2. I have understood all the "Notes for Application" listed in Application Form.

Applicant's Signature: _____ Date: _____

Notes for Application

- Registration must be made on the Enrolment Form provided and returned to the Association before the programme commencement date (Not less than 5 days) with full fee.
- Acceptance is subject to the discretion of the Association.
- Applicants will be notified by telephone to confirm receipt of the application form and full programme fee. An official receipt will be sent to you within two weeks.
- Applicants are expected to attend the course at the place and time specified in the brochure unless otherwise notified.
- When a programme is over-subscribed, additional classes may be started in some cases. Applicants may then be notified of the new time, dates and place of meetings when necessary.
- For ENROLMENT and ENQUIRIES please call 2774-8500 / 2774-8501 (Customer Service Department) during normal office hours or Email: enrol@hkma.org.hk or fax 2365-1000.
- No refund will be made after payment, but participants can arrange to have their places substituted should they be unable to attend the programme by notifying the Association at least 2 days prior to programme commencement.
- Fax reservations are welcome but are subject to confirmation by payment in full within 10 days of the date the reservation is made or 5 days prior to programme commencement, whichever is sooner.
- Applications, upon full payment, will be processed on a first-come first-served basis.
- Before classes/examinations commence, if the Observatory announces that Typhoon Signal No.8 or above/Black Rainstorm Warning is in force; or Typhoon Signal No.8 or above will be hoisted within 2 hours, no classes/examinations will be held. Replacement classes and remedial examinations will be arranged. (All classes will be held as scheduled if Typhoon Signal No.8 or above/Black Rainstorm Warning is lowered at or before 7:00 am; 2:00 pm classes and examinations thereafter will be held as scheduled if Typhoon Signal No.8 or above/Black Rainstorm Warning is lowered at or before 12:00 noon; 6:00 pm classes and examinations thereafter will be held as scheduled if it is lowered at or before 4:00 pm.)
- When Typhoon Signal No.8 or above is in force during classes/examinations, all classes and examinations will be dismissed immediately. Replacement classes and remedial examinations will be arranged. When Black Rainstorm Warning is in force during classes/examinations, all classes and examinations will be held as scheduled.
- The Association reserves the right to cancel a programme and/or make alterations in relation to its lecturers, contents, dates, time, venue and other particulars without prior notice.
- HKMA Website: WWW.HKMA.ORG.HK