

Specification of Competency Standards of the Beauty and Hairdressing Industry

**Unit of Competency**

**Functional Area: Operational Management**

Title	Handle Complicated Labour Disputes
Code	105445L5
Range	This unit of competency (UoC) is applicable to management staff in the hairdressing industry. It involves critically planning, analysis, evaluation and judgement, and some management duties. Practitioners should be able to master Hong Kong's labour regulations and relevant rules and regulations, court system and its jurisdiction, and legal procedures related to labour disputes of the industry; and quote relevant ordinances correctly to handle complicated labour disputes.
Level	5
Credit	9 (for reference only)
Competency	<p>Performance Requirements</p> <ol style="list-style-type: none"> <li>1. Possess knowledge of Hong Kong's court system and legal procedures <ul style="list-style-type: none"> <li>• Understand Hong Kong's court system, jurisdiction and types and authority of processing cases of labour disputes, including: Court of Final Appeal, High Court, District Court, Magistracy, Labour Tribunal, Minor Employment Claims Adjudication Board, etc.</li> <li>• Understand the claiming procedures and limitations for as well as legal rights that can be exercised by employers and employees in labour disputes of different natures</li> <li>• Understand the procedures for handling claim cases by different statutory bodies and time limit for making such claims</li> <li>• Understand the judgement details of previous cases of labour disputes</li> </ul> </li> <li>2. Handle complicated labour disputes <ul style="list-style-type: none"> <li>• Master the procedures for handling money dispute cases between employers and employees by different statutory bodies as references for handling complicated labour disputes for the organization: <ul style="list-style-type: none"> <li>• Labour Tribunal, including: claim amount and limit of the number of claimants, conciliation meeting, working on a conciliation arrangement, hearing, review judgement, etc.</li> <li>• Minor Employment Claims Adjudication Board, including: claim amount and limit of the number of claimants, legal procedures, hearing, review judgement, handling of appeal, etc.</li> </ul> </li> <li>• Master legal procedures related to claims for work injury compensation, such as: <ul style="list-style-type: none"> <li>• Procedures for issuing the Certificate of Review of Assessment by the Employees' Compensation Assessment Board and the legal consequences</li> <li>• Compensation and legal procedures for cases of death caused by work injuries or accidents</li> </ul> </li> <li>• Master the legal procedures by Equal opportunities Commission for handling sex, pregnancy and disability discrimination</li> <li>• Master the appeal mechanism and legal procedures for labour dispute cases</li> <li>• File the details, judgement, etc. of each complicated labour dispute case properly</li> </ul> </li> <li>3. Exhibit professionalism <ul style="list-style-type: none"> <li>• Consider legal advice when facing complicated disputes in order to reduce the organization's risk and seek for a favourable judgement</li> </ul> </li> </ol>
Assessment Criteria	<p>The integrated outcome requirements of this UoC are the abilities to:</p> <ul style="list-style-type: none"> <li>• Master legal procedures related to handling of labour disputes; and</li> <li>• Handle complicated labour disputes according to the legal procedures of different statutory bodies.</li> </ul>
Remark	