

in EMB CR 3/3/3231/95
CB2/SS/4/00

2810 2534
2899 2967

Mrs. Sharon Tong
Clerk to Subcommittee
Legislative Council
Legislative Council Building
8 Jackson Road
Central

Dear Mrs. Tong,

**Subcommittee on
Occupational Safety and Health
(Display Screen Equipment) Regulation**

I refer to your letter dated 6 December 2001 regarding a submission from the Hong Kong Information Technology Federation on the proposed Occupational Safety and Health (Display Screen Equipment) Regulation.

The representations in the submission focusses on the compliance standards of risk assessment under section 4 and the requirement to keep a record of risk assessments (section 4(5)). There are also concerns over the need for the proposed Regulation and potential cost impact on the business environment. The Administration would like to make the following comments on the points raised therein.

The need for the Regulation

Prolonged use of display screen equipment (DSE) is one of the important risk factors for health problems associated with DSE work, e.g. eye discomforts and musculoskeletal discomforts in the neck, shoulders, hands, arms and back. A number of medical researches have indicated that prolonged use of DSE for four hours or more every day is associated with a higher risk of developing health problems. With the growing use of computers at work, there has been an increase in the number of reported cases of occupational disease associated with prolonged use of DSE at work (e.g. tenosynovitis). These health problems are largely preventable by attending to the design of workstations, working posture, working environment and work organisation.

The proposed Regulation was introduced into the Legislative Council in November 2000. It aims to protect the safety and health of employees who use DSE as a significant part of their work by increasing the awareness of duty-holders to improve occupational safety of workstations used by such employees. The focus is on self-regulation, rather than on prosecution.

Risk assessment and record keeping

In a risk assessment of workstations, “risks” refers to the safety and health risks of potential hazards arising from the workstations. In conducting a risk assessment, responsible persons may refer to the draft Health Guide on Working with DSE (the Health Guide) for assistance. Risk assessment is mainly subjective and relatively simple. A clerical staff who has some knowledge of the use of DSE and the associated health risks would be capable of completing the risk assessments, without resorting to professional services.

The Regulation also requires responsible persons to keep records of risk assessments so far as reasonably practicable. Keeping a completed checklist that has recorded the findings of the assessment and necessary follow-up actions would suffice and both paper and electronic records are acceptable so long as the responsible persons can produce the records for inspection upon request by an occupational safety officer of the Labour Department. The

keeping of records itself is, therefore, simple and would not incur any significant cost.

Cost impact

It is estimated that the average cost per workstation is \$90 and the total cost is \$28 million for the estimated 312,000 workstations. Details of the estimated compliance costs are at Annex. We consider that the compliance cost is relatively low when compared to the social costs that may arise from health problems associated with prolonged use of DSE at work, such as medical expenses.

To reinforce the self-regulatory approach, the Labour Department will continue to step up education and promotion programmes to assist employers and the public at large to better understand how the Regulation would operate. In the course of the last 12 Subcommittee meetings, amendments have been made to improve the drafting of the Regulation. The Subcommittee on the proposed Regulation is in general support of the legislative intent.

I hope the above would help clarify the concerns in the submission. We would welcome further suggestions and consider amendments if necessary.

Yours sincerely,

(Miss Cheryl CHOW)
for Secretary for Education and Manpower

c.c. C for L (Attn: Dr L M Leung)
D of J (Attn: Ms Marie SIU)

Annex

**Estimated Compliance Cost for the proposed
Occupational Safety and Health (Display Screen Equipment) Regulation**

	<u>Unit Cost</u> (<u>\$</u>)	<u>No. of</u> <u>Workstations/</u> <u>Employees</u>	<u>Total Cost</u> (<u>\$M</u>)
I. <u>Basic requirements</u>			
(a) Risk assessment (10 minutes each)	10 (10 min x \$11,500/month)	312 000	3.12
(b) Safety and health training (30 minutes each)	30 (30 min x \$11,500/month)	312 000	9.36
	Subtotal \$40		Subtotal \$12.48M
II. <u>Reducing risks by providing :</u>			
Chair (height adjustable)	300	15 600	4.68
Backrest	70	31 200	2.18
Footrest	150	31 200	4.68
Keyboard drawer	350	3 120	1.09
Document holder	70	31 200	2.18
Screen glare filter	250	3 120	0.78
	Subtotal \$1,190		Subtotal \$15.59M Grand Total \$28.07M

Average cost per workstation : \$90

Range of cost per workstation : \$40 (basic requirements only) - \$1,230 (basic requirements + risk reduction measures)

NOTE: In estimating the compliance cost, the following assumptions have been made –

- (a) It is estimated that about 312 000 workstations are used by users covered by the proposed Regulation, i.e. these workstations are used by employees for continuous spells of an hour or more, and more or less daily. The estimate was based on various survey reports published by the Census and Statistics Department.
- (b) Risk assessment of a workstation can be completed in 10 minutes. The necessary safety and health training can be provided to a DSE user in 30 minutes through various means, e.g. showing video, reading educational materials. We assume that the average monthly salary of clerical and secretarial workers is \$11 500.
- (c) It is estimated that 1-10% of the workstations requires various improvements to reduce the risks, on the basis of the survey conducted by the Occupational Safety and Health Council in 1997 and the field experience of Occupational Hygienists.
- (d) Risk reduction measures involving positioning and adjusting the workstations do not incur additional cost. Examples of these measures are repositioning screens, adjusting the brightness and contrast of image, adjusting the height of chairs, and removing articles beneath work surface to allow adequate legroom.
- (e) Keeping risk assessment records and making the records available to DSE users do not incur any significant additional cost.

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18 December, 2001

Clerk to Subcommittee
Legislative Council
Legislative Council Building
8 Jackson Road
Central
(Attn : Miss Betty Ma)

Dear Miss Ma,

**Subcommittee on Occupational Safety and Health
(Display Screen Equipment) Regulation**

I refer to your letter dated 14 December 2001 regarding the submissions from the Hong Kong Information Technology & Network Engineering Employees Association, Hong Kong Communication Industry Employees Association and Hong Kong Workers' Health Centre.

While the views in the submissions are noted, we would like to clarify a point raised in the first submission from the Hong Kong Information Technology & Network Engineering Employees Association. Under the Occupational Safety and Health Ordinance and its subsidiary regulation, there is no provision requiring employers to provide a 10-minutes break for employees who continuously use display screen equipment for two hours or more. The provision of rest break is a *recommendation* in the draft Health Guide on Working with Display Screen Equipment to be published by the Labour Department.

Yours sincerely,

(Miss Cheryl Chow)
for Secretary for Education and Manpower

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