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30 March 2012

LegCo Panel on Manpower
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Attn. : Ms. Alice Leung)

Dear Ms. Leung,

Panel on Manpower
Submission from a member of the public

On 20 January 2012, the Panel on Manpower referred a submission from a member of the public to the Administration for follow-up. The submission raised concern about the working environment and rest time of the staff of the telebet centres of Hong Kong Jockey Club (HKJC). This paper reports on the progress of the investigation and follow-up action by the Labour Department (LD).

LD officers conducted three inspections to the HKJC telebet centres in February to March 2012 to make occupational health risk assessments on issues raised in the submission. In that period, LD officers contacted the HKJC management and the labour union concerned to seek further information on the work and rest arrangements of staff of the telebet centres.

Working Environment

LD has been paying attention to the occupational health of the HKJC telebet centre staff. In recent years, we have conducted inspections to the four telebet centres of HKJC to assess different aspects of the working environment, including ventilation, lighting, computer workstations and level of sound received from earphones. LD has so

far issued 14 improvement notices to HKJC, requiring measures to be taken to improve the ventilation and lighting and provide suitable chairs in the telebet centres. In the follow-up inspections, LD officers have confirmed that relevant improvement measures have been implemented.

Work Arrangement

We have been informed that a large majority of the telebet centre staff are working on a part-time basis: two days a week and 4 to 8 hours a day. As regards full-time staff, they work for 6 to 9 hours a day. According to the on-site observation of LD officers, the staff will be connected to a call from another client only after they have ended the previous call. In answering a call, they are mainly receiving betting information from the client, repeating such information for the client's confirmation, and then inputting the data into the computer. Given this mode of operation, the hands of the staff should not have to perform intensive, repetitive movements.

Besides, HKJC has introduced a new football betting pool since 2010. Clients can bet before and during a match. As the number of matches varies every night and the betting methods vary a great deal, the workload of some staff could be higher in particular periods. We have been informed that the management has set up an employees' focus group to collect feedback from staff on the layout design, colour and size of screen fonts of the football betting software, so as to improve the design to facilitate their work. In parallel, as more betting data are involved in football betting, the management has issued betting data leaflets to the staff in order to minimize the need of searching such information from the computer.

Rest Time Arrangement

According to the information provided by HKJC, at present, the management arranges for the staff to take 30-minute rest break in the first 4-hour work period, and another 15-minute rest break in the second 4-hour work period. The management has drawn up criteria for arranging rest time for the staff, i.e. arranging rest breaks in the period between 45 minutes after starting work and 45 minutes before finishing work, so as to ensure that staff can have adequate rest after working for a period. However, we have been informed that the management has, according to the requests of some staff, arranged for them to take 30-minute rest break immediately after starting work so that they can take meals during that period. Apart from the above rest time arrangement, one member of every small group can leave his/her post during the non-peak hours to take rest, e.g. the period after every horse racing session has started. If individual staff member have special needs, such as light-duty arrangement recommended by doctors, we have been informed that the management would suitably adjust their rest time.

In conducting the investigation, LD has been informed by the union representatives that the management has arranged for some staff to work for 7 hours and 45 minutes and, hence, they could not take the 15-minute rest break in the second 4-hour work period. Besides, some staff, who have requested for overtime work on busy days,

are arranged to work for 3 hours and 45 minutes overtime after working for 8 hours. As such, these staff could not take the extra 15-minute rest break. LD is now seeking further information from the union and following up the matter with the HKJC management.

Other Suggested Issues

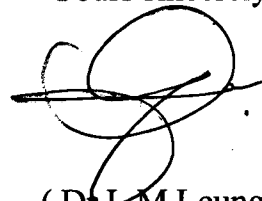
The submission suggested that the Government should improve the Occupational Safety and Health (Display Screen Equipment) Regulation and regulate the maximum continuous working hours of using display screen equipment. In promoting the Regulation, LD has produced a code of practice and a health guide to provide guidance for employers in conducting risk assessments for employees using such equipment at work for prolonged periods and in arranging suitable rest breaks for them. We will review the Regulation regularly to ensure that the legislation meets current needs.

As for the submission suggesting the Government to study legislating for the “minimum manpower ratio”, we consider that having regard to individual circumstances and needs, employers and employees of different industries and enterprises would need to deploy adaptive measures in their respective manpower arrangements or manpower ratio, so as to flexibly cope with changes in the economy and the labour market, cater for the different situations of individual industries and enterprises, and satisfy the needs of individual employees.

LD has always been encouraging employers to, through direct and open communication and consultation, draw up employment conditions and work arrangements regarding matters of mutual concern, so as to maintain harmonious labour relations. Effective communication between employers and employees could help both parties reach consensus and resolve difficulties. LD will help facilitate labour-management communication, where necessary.

In conclusion, LD has issued statutory notices to HKJC to urge the management to improve the working environment of the telebet centres. We will continue to follow up the work and rest time arrangements of telebet centre staff with the management and union representatives, so as to explore room for improvements and practicable options. We will continue to monitor the occupational health of the telebet centre staff. If risks affecting the staff’s health are identified, we will urge the HKJC management to take improvement measures swiftly.

Yours sincerely,



(D.M. Leung)

for Commissioner for Labour