



Labour Department (Headquarters)

勞工處 (總處)

Your reference 來函編號 :

Our reference 本處檔案編號 : (7) in L/M (17) to LD OD/1-55/79

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5 August 2015

Miss Betty MA
Clerk to the Panel on Manpower
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Miss MA,

**Response to the Panel on Manpower
on the follow-up item of the Meeting on 14 July 2015**

At the meeting of the Panel on Manpower on 14 July 2015, the Government was requested to provide a response to the issues of concern in connection with the occurrence of a fatal traffic accident on Tsing Ma Bridge on 8 July 2015 as raised by Dr Hon CHIANG Lai-wan in her letter dated 13 July 2015. My reply is as follows.

The Labour Department (“LD”) is highly concerned about the aforesaid traffic accident that involved a number of construction workers who had just finished work. After the said accident, LD officers promptly visited the worksite concerned to follow up, and have been working with the Police in the investigation. Preliminary investigation findings revealed that the contractor concerned had provided facilities for the workers to take rest at the construction site. LD will further follow up on matters concerning occupational safety and health (“OSH”) of the worksite and the work arrangements for the workers,

including whether the contractor has arranged suitable rest breaks for them. LD will take enforcement actions if non-compliance with OSH legislation is detected. In addition, LD has already advised the contractor concerned to provide transport services for the workers after working long hours to facilitate their departure from the worksite.

As a general rule, employers and employees may negotiate and agree on their own terms and conditions of employment concerning the employees' working hour arrangements, provided that the terms and conditions do not violate the Employment Ordinance and other legislation. Nevertheless, under the Occupational Safety and Health Ordinance, employers shall ensure, so far as reasonably practicable, the safety and health of their employees at work. LD has published the "*Guide on Rest Breaks*" to remind employers to make rest break arrangement for workers, including arranging appropriate rest breaks for employees who have worked continuously for a lengthy period of time.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'WU Wai-hung', written in a cursive style.

(WU Wai-hung)
for Commissioner for Labour