

香港理工大學的信頭
Letterhead of THE HONG KONG POLYTECHNIC UNIVERSITY

10 September, 1999

Mrs Constance Li
Clerk to Subcommittee
Legislative Council Subcommittee on Regulations related to Occupational Safety & Health
3/F Citibank Tower
3 Garden Road

FAX NO.: 2509 9055

Dear Mrs. Li,

Thank you for the opportunity to comment on the proposed F & IU (Medical Examinations) Regulation which extends the scope of the existing statutory medical examinations to cover workers exposed to specified hazards substances and physical agents. We have been looking forward to doing so. Since the proposal reached us on August 30, we are not able to do it the justice it deserves. However, the following comments may be of some value.

1. Congratulations on moving toward an enhanced programme to extend the coverage. As far as Occupational Safety & Health is concerned, the proposal is a far stronger regulation to meet with the changing needs of the community. Your Committee rightly pointed out that medical examination is necessary for the early prevention of occupational diseases.
2. Section 3, page 2: *Prohibition against employment without being medically examined and certified, and Schedule 1: Occupations to which this regulation applies.*

The list of occupations is comprehensive and the implications of the regulation are obvious. However there might be *a need to clarify the nature of exposure*, such as whether the employment listed in Schedule 1 involves an *acute exposure* or a *chronic exposure*. Acute exposure is a short contact with a hazardous substance. It may last a few seconds or a few hours. On the contrary, chronic exposure is continuous or repeated contacts with a toxic or hazardous substance over a long period of time (months or years). If a chemical or harmful substance is used every day on the job, the exposure would be chronic. Over time, some substances, such as asbestos and lead, can build up in the body and cause long-term health effects.

Clauses 16 of Schedule 1 makes it quite clear that the medical examination measures will apply to an employment involving the use or handling of or exposure to lasers, Class 3B and 4). Similarly, Clause 17 specifies that 85db(A)

and above will be a maximum for daily personal noise exposure. These two items set a good example in regard to the sort of detail that the public would like to see.

On this particular issue, our question is, apart from the last two items of Schedule 1, how can a proprietor determine the level of exposure based on the criteria laid down in the Schedule?

3. We support the concept of pre-employment medical examination. Information about human exposures that have occurred at work or by accident is very useful, even though it may be incomplete. For example, if a person has been exposed to more than one substance, it may be hard to find out exactly which substance caused a health effect. Also, some health effects (such as cancer) don't appear until many years after the first exposure, making the cause of the disease hard to determine. Even when the substance that caused the health effect is known, the exact dose that caused the effect may not be. We believe that pre-employment medical examinations would help resolve some of the problems. In the first place the regulation would help determine the suitability of the employment of a worker and, in a long term, it would provide a track record for future reference.

Yours sincerely,

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