

**Occupational Safety and Health (Headquarters)  
Labour Department**

勞工處職業安全及健康（總部）

Your reference 來函編號：

Our reference 本處檔案編號： LD CR 1/814

Tel. number 電話號碼： (852) 2852 4074

Fax number 傳真機號碼： (852) 2544 3497

16 July 2012

Ms Alice LEUNG  
Clerk to the Panel on Manpower  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms LEUNG,

**Reply to the Panel on Manpower on follow-up actions required**

The Panel on Manpower discussed the review of occupational diseases in Hong Kong and measures to improve the occupational safety and health (OSH) performance of construction workers and professional drivers at the meetings on 12 April and 20 June 2012 respectively. The Administration would like to reply to the Panel on the follow-up work with respect to the aforementioned subjects in the ensuing paragraphs.

**Meeting on 12 April 2012**

*(a) Number of industrial accidents caused by improper use of chemicals and the number of employees involved in the past three years*

From 2009 to 2011, the occupational injury cases involving exposure to or contact with harmful substances such as chemicals were 302, 287 and 257 respectively, among which one case was a fatal accident.

*(b) Number of inspections conducted by the Labour Department (LD) to offices, catering workplaces as well as work sites for loading/unloading operations at the airport in 2011*

To prevent musculoskeletal disorders, LD conducted a total of 342 inspections to workplaces including offices (156 inspections), catering workplaces (126 inspections) and airport work sites where loading/unloading operations were conducted (60 inspections) in 2011.

*(c) Details regarding the 75 warnings and two improvement notices issued by LD in 2011 in relation to irregularities in musculoskeletal disorder prevention*

The two improvement notices involved responsible persons of offices violating the Occupational Safety and Health (Display Screen Equipment) Regulation, including failure to review the risk assessment and revise the record concerned, and failure to ensure in a reasonably practicable manner that the workstations were suitable having regard to the safety and health of users. As for the 75 warnings, 59 involved failure of responsible persons of offices to take suitable measures to control the hazards of working with display screen equipment, such as conducting risk assessments and ensuring that workstations were suitable, the remaining 16 warnings involved failure of responsible persons of catering establishments to take measures (e.g. arranging rest breaks and job rotation) to reduce the risks to kitchen workers in undertaking manual handling operations and keep records of the risk assessments.

*(d) Latest development of the pilot scheme of work-rest arrangement for workers at construction sites*

In the summer of 2011, with the coordination of LD, the Hong Kong Construction Association and contractors launched a pilot scheme at 15 construction sites to flexibly adjust the rest periods and lunch break of bar-benders to reduce their risk of heat stroke while working in hot weather. This summer, the Hong Kong Construction Association will continue to implement the scheme, with the number of participating construction sites doubling to 30. Besides the lunch break, the rest periods will be increased from the general practice of one 30-minute rest break to a maximum of three 15-minute rest breaks.

(e) *Statistics on warnings, improvement notices and prosecutions by LD in 2011 against employers failing to ensure their employees' safety and health at work, with breakdown by nature of offences involved and the level of penalty imposed (if any).*

Relevant information is shown in the table below. LD does not have separate breakdown of statistics by nature of offences involved and level of penalty imposed.

<b>Item</b>	<b>Construction Industry</b>	<b>Catering Industry</b>	<b>Other Industries</b>	<b>Overall</b>
Warnings issued	13 456	3 774	13 307	30 537
Improvement notices issued	772	263	321	1 356
Prosecutions instituted	1 250	274	356	1 880

### **Meeting on 20 June 2012**

(a) *Operation of bus wheelchair ramps*

LD has already referred the Long Win Bus Staff Union's suggestion on the operation of bus wheelchair ramps to the management of the bus company concerned. The management advised that they were examining the feasibility of the suggestion.

(b) *Air quality and working environment in bus depots*

LD officers regularly inspect the depots of bus companies to ensure that the working environment meets the requirements of the OSH legislation. We had tested the air quality in the depots of the bus company concerned and the findings indicated that there were no harmful gases and the heat stress level also met the occupational hygiene standard. In view of the submission of the New World First Bus Company Staff Union, LD will arrange special inspections to look into the ventilation setting in the depots, work processes involving use of chemicals and use of personal protective equipment.

*(c) Inspection of bus termini*

LD attaches great importance to the OSH of bus drivers while they are not performing driving work. Last year, LD officers conducted 48 inspections to various bus termini in Hong Kong, urging the party concerned to provide a safe and healthy working environment to bus drivers. In particular, LD provided training on prevention of heat stroke at work to bus captains who operated non-air-conditioned buses, and offered a series of suggestions to their employer on prevention of heat stroke. These included avoiding arranging non-air-conditioned buses to run in very hot periods, arranging captains with relevant driving experience to operate non-air-conditioned buses, provision of adequate cool drinking water and personal cooling devices, and increasing the duration of rest breaks for the captains concerned.

*(d) Inspection of container terminals, container yards and container depots*

LD attaches great importance to the OSH conditions in container terminals, container yards and container depots and is committed to enhancing the safety performance of the container handling industry through enforcement, education and promotion. On the enforcement front, in addition to regular inspections, we launch special enforcement operations to urge duty-holders to comply with statutory requirements and adopt necessary safety precautions. On the education and promotion fronts, we work closely with relevant stakeholders, including employee unions, trade associations and the Central Container Handling Safety Committee to formulate and publish safety guidelines and organise safety and health seminars to foster the OSH in this sector. In view of the coming hot weather and typhoon season, we have stepped up our efforts on enforcement, education and promotion to urge duty-holders to take precautionary measures against heat stroke, and to make effective and suitable arrangements to ensure the safety and health of workers at times of inclement weather conditions, such as typhoon.

*(e) Legislative regime on the protection of professional drivers in the United Kingdom (UK)*

According to UK's law, all users of public highway must comply with the Road Traffic Act administered by the Department for Transport and the Police. This covers the aspects of speed limits, inspection of vehicles,

licensing and physical fitness of drivers, etc. The control regime is similar to the Road Traffic Ordinance in Hong Kong. As for the Health and Safety Executive of UK, they are responsible for handling road traffic incidents directly related to work activities, including:

- vehicles engaged in specific work activities (other than travelling) on public highway, e.g. hedge-cutting, refuse collection, unloading, construction, traffic management, gritting;
- workers (not in vehicles) engaged in specific work activities (other than travelling) on public highway, e.g. construction work, traffic management, repairs to street furniture, refuse collection, street cleaning;
- vehicles manoeuvring and transport in close proximity to or near the work premises;
- workers involved in roadside vehicle repair or rescue when there is no suitable safety arrangements.

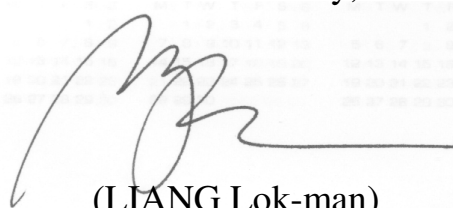
The Occupational Safety and Health Ordinance in Hong Kong covers the above activities.

(f) *Other matters*

The responsible team of LD has noted the proposal in some of the deputations' submissions for the Administration to set up a central compensation fund to protect self-employed persons.

As to the requests by some deputations for the Transport Department (TD) to step up the supervision of franchised bus companies regarding TD's guidelines on the working hour and rest time arrangement for bus captains, to enhance the amenity facilities at bus termini and to arrange regular meetings with employee unions, LD has already referred their views to TD for follow-up, and would render our advice on OSH to TD where necessary.

Yours sincerely,



(LIANG Lok-man)

for Commissioner for Labour