



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

[English Translation]

6 May 2019

Clerk to Panel on Food Safety and Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Attention: Miss Josephine SO)

Dear Miss SO,

**Panel on Food Safety and Environmental Hygiene
Refurbishment of Public Toilets
Managed by the Food and Environmental Hygiene Department**

Regarding the motions passed at the Panel meeting held on 16 April 2019, our response is set out below.

Motion 1

- (i) The Food and Environmental Hygiene Department (FEHD) will consult the relevant District Councils on those public toilets planned to be refurbished, including the layout, duration of the works and the temporary arrangement during closure.

- (ii) To improve the cleanliness of public toilets and relieve workload of toilet attendants, the FEHD has set up dedicated deep cleansing teams in districts since March 2019 to perform regular deep cleansing services for public toilets with high utilisation rates (i.e. with toilet attendants stationed) or at tourist spots. Such dedicated deep cleansing teams will be progressively extended to all public toilets over the territory upon renewal of street cleansing services contracts.

FEHD staff will conduct routine and surprise inspections to public toilets to monitor contractors' performance. District Councils and local communities express from time to time their views to FEHD, including those on outsourced cleansing services. Upon receipt of their views, FEHD staff will take follow-up actions. If any contractor is found to be in breach of contract terms, FEHD will take appropriate follow-up actions, including the issuance of verbal warnings, written warnings and default notices with withholding/deduction of monthly payment of service charge. Such performance record will affect the tenderer's future bidding for FEHD's outsourced services contracts.

Since November 2018, FEHD has created 3 Senior Health Inspector posts mainly for stepping up surprise inspections to cleansing services and facilities in all districts, including the facilities and cleansing services of public toilets. FEHD believes that the above enhancement measures can improve the overall hygiene conditions of public toilets, and a review on how to further enhance the cleanliness of public toilets will be carried out in the future. In parallel, FEHD is stepping up public education on proper use of public toilet facilities and keeping public toilets clean.

On improving treatment of the staff of outsourced service contractors, FEHD will adopt the following new enhancement measures for service tenders to be issued on or after 1 April 2019 to protect outsourced non-skilled workers (including toilet attendants) employed by its service contractors -

- (a) the weighting of technical assessment of the marking scheme will increase from the current 30% to 50%;

- (b) the weighting of the wage level of non-skilled workers will increase to 25 points out of 100 points (25%) in the technical assessment;
- (c) a contractual gratuity being 6% of the total wages earned by a non-skilled worker will be provided for workers with no less than one year's service of a continuous contract upon completion of an employment contract or termination of employment (save for summary dismissal as a serious disciplinary action);
- (d) statutory holiday pay will be provided for non-skilled workers having been employed under a continuous contract for not less than a month; and
- (e) if a non-skilled worker is required to work when typhoon signal no. 8 or above is hoisted, the amount of wages for that day/shift's work should be at least 150% of the wages that the worker is originally entitled to.

To benefit non-skilled workers engaged in the service contracts during the transitional period between the announcement of the new policy in October 2018 and the effective date of 1 April 2019, FEHD will negotiate with the service contractors concerned to incorporate relevant new enhancement measures into the service contracts by making top-up payments on a reimbursement basis.

Concerning repair arrangements for public toilet facilities, the cleansing contractors will carry out minor repairs or replacement within 24 hours in respect of minor defects or damages. For more serious cases, FEHD staff will notify the Architectural Services Department (ArchSD) or the Electrical and Mechanical Services Department (EMSD) for arranging repairs as soon as possible. FEHD will maintain close communication with ArchSD and EMSD to discuss how to expedite repair works and streamline procedures and workflow.

- (iii) Generally speaking, toilet attendant services are provided in public toilets with high utilisation rates or at tourist spots, and attendant rooms are made available in most of the public toilets provided with toilet attendant services.

The list of public toilets for refurbishment or facelifting will be worked out with regard to the condition of the facilities and level of utilisation. Meanwhile, FEHD is reviewing facilities in attendant rooms of public toilets. If circumstances permit, FEHD will install oscillating fans, exhaust fans, power sockets, etc. in existing attendant rooms to improve their environment. In addition, FEHD will as far as possible make available attendant rooms and improve facilities for toilet attendants in new public toilets or when the public toilets are refurbished. Power sockets, lockers, oscillating fans as well as ventilation, lighting and exhaust fans will be installed in attendant rooms where facilities for the attendants to take rest and change clothes will also be provided.

Currently, the standards and requirements of toilet consumables (e.g. toilet papers, hand soap) have been clearly stated in FEHD's street cleansing services contracts. Contractors must provide consumables according to the requirements of the contract terms.

- (iv) FEHD is going to launch pilot schemes on provision of air conditioning and other equipment such as application of ozone technology and Nano Confined Catalytic Oxidation (NCCO) technology in public toilets to improve air quality. FEHD has applied advance ozone technology on a trial basis for Sai Yee Street Garden Public Toilet in Mong Kok since early 2019. It also plans to apply NCCO technology in several selected public toilets on a trial basis from Q3 2019 onwards. Results will be reviewed after the trial, and if proven satisfactory, FEHD will consider extending it to other suitable public toilets.

Meanwhile, FEHD is planning to put on trial a real-time data monitoring system in selected public toilets in the second half of 2019 to collect data on patronage, temperature, humidity, etc. By analysing the data, it is hoped that FEHD can make better use of resources and enhance quality of public toilet services.

Motion 2

- (i) FEHD is reviewing facilities in attendant rooms of public toilets. If circumstances permit, FEHD will install oscillating fans, exhaust fans, power sockets, etc. in existing attendant rooms to improve their environment. In addition, FEHD will as far as possible make available attendant rooms and improve facilities for toilet attendants in new public toilets or when the public toilets are refurbished. Power sockets, lockers, oscillating fans as well as ventilation, lighting and exhaust fans will be installed in attendant rooms where facilities for the attendants to take rest and change clothes will also be provided.
- (ii) Generally speaking, toilet attendant services are provided in public toilets with high utilisation rates or at tourist spots, and attendant rooms are made available in most of the public toilets provided with toilet attendant services. The list of public toilets for refurbishment or facelifting will be worked out with regard to the condition of the facilities and level of utilisation. If circumstances permit, the works will provide attendant rooms and improve facilities for toilet attendants.
- (iii) As far as paid meal breaks are concerned, since the needs of employees vary with individual industries and enterprises, whether meal breaks of employees on duty should be counted as working hours and be paid should be treated as the employment conditions of service to be agreed by outsourced service contractors and their employees.

The minimum requirements on manpower, work shifts and frequency of cleansing services are laid down in outsourced cleansing services tender documents based on operational needs. The tenderers are required to apply their expertise and experience in devising adequate staff and mode of operation to provide cleansing services up to the performance standard as required by FEHD. Tender proposals are binding once the relevant tender is accepted and will form the basis for monitoring the contractor's performance.

Under the cleansing services contracts of FEHD, contractors are also required to provide staff with suitable and adequate uniforms,

tools and equipment as well as proper work environment and facilities. If any contractor contravenes the requirements, FEHD will issue a notice of default to the contractor and refer the case to the Labour Department for investigation on any contravention under the Occupational Safety and Health Regulation.

To improve the manpower arrangement for public toilet services and alleviate the workload of public toilet cleaners, the FEHD will keep under review the utilisation rates of its public toilets and adjust the arrangement and workload of public toilet cleaners (including toilet attendants) accordingly, including considering deployment of more toilet attendants during peak hours. On top of toilet attendants and routine cleansing services, FEHD has set up dedicated deep cleansing teams in all districts since March 2019 to perform regular deep cleansing services for public toilets with high utilisation rates or at tourist spots. Such dedicated deep cleansing teams will be progressively extended to all public toilets over the territory upon renewal of street cleansing services contracts.

Yours sincerely,

[Signed]

(Gilford LAW)

for Secretary for Food and Health

c.c. Director of Food and Environmental Hygiene