

# 立法會

## *Legislative Council*

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### **Panel on Manpower**

#### **Updated background brief prepared by the Legislative Council Secretariat for the meeting on 24 August 2021**

#### **Prevention of health hazards associated with standing at work**

#### **Purpose**

This paper provides background information and summarizes the past discussions by the Panel on Manpower ("the Panel") on prevention of health hazards associated with standing at work.

#### **Background**

2. Many employees in the security, retail and service industries often work in a standing position. Work with prolonged standing can cause muscle ache and fatigue at the legs of employees. Continuous pressure on the legs is associated with various kinds of lower limb diseases including varicose vein and plantar fasciitis. According to the Administration, around 30% of the new patients who visited the two occupational health clinics<sup>1</sup> ("OHCs") were diagnosed with lower limb diseases each year.

3. The Labour Department ("LD") promulgated the Guidance Notes on Standing at Work and Service Counter Design ("GN") in December 2018, which set out health hazards associated with prolonged standing at work and relevant preventive measures such as provision of chairs to workers who are engaged in standing work with restricted movement for occasional resting. In addition to the promulgation of GN, LD also deployed resources and manpower to enhance

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<sup>1</sup> The Labour Department operates OHCs in Kwun Tong and Fanling to provide clinical consultation services to all employees in Hong Kong Island, Kowloon, and the New Territories with an objective to enhance the health of the working population through prevention, diagnosis and treatment of work-related illnesses including muscle pain.

the awareness of employers and employees on reducing the health risks of standing at work through various means and channels, including publication of feature articles in newspapers and production of Announcement in Public Interest through television and radio broadcast.

## **Deliberations of the Panel**

### Prescribing lower limb diseases as occupational diseases

4. Some members considered that strain and varicose veins of the lower limbs arising from standing for a prolonged period of time while at work, in particular those of employees in the catering and retail sectors, should be classified as a compensable occupational disease. These members expressed disappointment at the Administration's refusal to do so, notwithstanding the increasing number of new cases of lower limb illnesses seeking clinical consultations at OHCs.

5. The Administration advised that LD would review the list of compensable occupational diseases from time to time and had updated the list in the light of international standards by making reference to International Labour Organization ("ILO"). According to ILO, occupational diseases were diseases having specific or strong relationship with occupations, generally with only one causal agent. Strain and varicose veins of lower limbs was not prescribed by ILO as an occupational disease because it might be related to various factors other than work, such as personal habits and age, and therefore did not satisfy the criteria for prescribing as an occupational disease.

### Measures to reduce health risks of employees caused by prolonged standing

6. Members were concerned about LD's plan in place to encourage employers to adopt preventive measures to safeguard the occupational health of employees whose work involved prolonged standing. Some members suggested the Administration to consider making it mandatory for employees to take rest breaks at regular intervals after prolonged standing and including relevant occupational safety and health information in the job vacancies displayed at LD's job centres. It was also suggested that the Administration should collect and analyze statistics on health hazards associated with standing at work, so as to draw up appropriate preventive measures and convince employers to implement such measures.

7. Members were advised that in light of the fact that the work of many employees in the retail and catering industries involved prolonged standing, LD had further intensified the promotional visits to these industries. In addition to conducting inspections at the shops of the major chain corporations of these two

industries, LD also sent letters to a number of retail and catering companies to call on the management to take preventive measures to protect occupational safety and health of employees whose work involved prolonged standing. Relevant statistics on cases of lower limb diseases could be collated from OHCs, if so required.

8. Noting that the promulgation of GN was not legally binding, some members cast doubt about the effectiveness of GN in alleviating the health risks associated with prolonged standing at work. The Administration advised that since the promulgation of GN in December 2018, LD had widely publicized GN through organization of health talks and distribution of pamphlets. Besides, LD had also met with the management of large corporations in targeted industries including retail, catering, property management and hotel industries to explain and urged them to comply with GN. LD had also conducted workplace inspections and surprise visits to check employers' compliance with GN since its promulgation. Should there be any non-compliant cases of GN, if sufficient evidence was obtained, LD would consider taking out prosecution against employers concerned under the general duties provisions in Occupational Safety and Health Ordinance (Cap. 509), i.e. an employer was required to provide a safe working environment to his employees, so far as reasonably practicable. In general, employers' compliance with GN was satisfactory.

### **Relevant papers**

9. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

## Appendix

### Relevant papers on health hazards associated with standing at work

Committee	Date of meeting	Paper
Panel on Manpower	14.7.2015 (Item II)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Manpower	15.3.2016 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Manpower	18.7.2017 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Manpower	19.12.2017 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Manpower	27.4.2018 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a> <a href="#">LC Paper No. CB(2)1990/17-18(01)</a>
Panel on Manpower	15.1.2019 (Item III)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Manpower	19.11.2019 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Manpower	21.4.2020 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>

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