

**CONTROLLING OFFICER'S REPLY**

**FHB(FE)360**

**(Question Serial No. 6985)**

Head: (49) Food and Environmental Hygiene Department  
Subhead (No. & title): (-) Not specified  
Programme: (-) Not specified  
Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)  
Director of Bureau: Secretary for Food and Health

Question:

Please advise on the number of reported cases of injury at work received by the Food and Environmental Hygiene Department (FEHD) in respect of non-skilled outsourced cleansing workers, parts of body involved and the reason(s) for the injuries, details of the follow-up actions taken by FEHD regarding the reported cases of injury at work in each of the past 5 years. If no follow-up actions have been taken, please state the reason(s). If figures relating to the reported cases are not available, please state the reason(s). Has the Department considered increasing manpower to monitor the occupational safety and health of outsourced workers, and how will it ensure the occupational safety and health of outsourced workers?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 7713)

Reply:

The contracts signed between the Food and Environmental Hygiene Department (FEHD) and its service contractors stipulate that in the event of any of the contractors' employees suffering from any injury or death in the course of or arising out of the contract (whether or not a claim for compensation is involved), the contractor shall, within 7 clear working days, give notice in writing of such injury or death to FEHD. The contractors are also required to comply with all the legislation in relation to the execution of the service contracts, including the Occupational Safety and Health Ordinance (Cap. 509) (the Ordinance). The number of reported cases received by FEHD on injury at work of cleansing workers employed under cleansing service contracts in the past 5 years is given as follows -

Year	2014-15	2015-16	2016-17	2017-18	2018-19 (up to 28.2.2019)
No. of reported cases on injury at work	89	94	65	68	62

The injuries sustained by cleansing workers at work in the reported cases were mainly sprains, strains, bruises, cuts and wounds in different parts of the body. Unintended collisions (for instance, with a bicycle or a hand cart), slips, trips or falls on same level and lifting were common causes of injuries. If FEHD suspects a breach of the Ordinance in a reported case, the case will be referred to the Labour Department (LD) for investigation. If it is confirmed that the contractor has committed an offence under the Ordinance, LD will take appropriate actions including instituting prosecution against the contractor. FEHD will also take action in accordance with the contract terms, including the issuance of verbal warnings, written warnings and default notices as well as withholding/deducting monthly payment of service charge.

The contractors have a duty to ensure, as far as practicable, their employees' safety and health at work under the Occupational Safety and Health Regulation (Cap. 509A) (the Regulation). In FEHD's services contracts involving non-skilled workers, it is stipulated that the contractor shall provide necessary training on occupational safety, sufficient protective equipment, ancillary tools as well as complying with all the legislation in relation to the execution of the service contracts, including the Regulation. FEHD staff carry out regular and surprise inspections to check the contractors' performance and ensure their compliance with the contractual requirements. Any breach of contractual obligations by the contractors will lead to the issuance of verbal warnings, written warnings and default notices as well as deduction of monthly payment of service charge.

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