

CONTROLLING OFFICER'S REPLY

FHB(FE)420

(Question Serial No. 6318)

Head: (49) Food and Environmental Hygiene Department
Subhead (No. & title): (-) Not specified
Programme: (2) Environmental Hygiene and Related Services
Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)
Director of Bureau: Secretary for Food and Health

Question:

In the past 5 years, has the Department put in place any tools, measures or work arrangements to ensure the safety of outsourced cleansing workers at work and prevent them from sustaining injuries at work or suffering from musculoskeletal disorders? If yes, what are the expenditures involved? Please also provide the number of outsourced cleansing workers who were injured in the course of work or injured due to musculoskeletal disorders arising from work in the past 5 years. Does the Department have a work plan or a budget for preventing outsourced workers from sustaining injuries in the course of work or suffering from occupational diseases arising from work and improving their working environment? If yes, what are the items and the expenditure involved? If no, what is/are the reason(s)?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 51)

Reply:

The contracts signed between the Food and Environmental Hygiene Department (the Department) and its service contractors stipulate that contractor personnel shall have the necessary training which includes training in occupational safety and health to provide the services, and the contractors should ensure that all their employees wear tidy and clean uniforms or special protective clothing which the Department may consider necessary or appropriate while they are providing the services. This includes the replacement of face mask at least once at the beginning of a work shift or immediately after the mask is damaged. The contractors are obliged to provide and replace uniforms and special protective clothing for their staff. The Department adds a clause to newly awarded contracts to require the contractors to submit a uniform supply and allocation plan within 2 weeks after the commencement of contracts for approval. The contractors are also required to keep a record of allocation of such items to each employee with his/her acknowledgement of receipt, and produce the record at the Department's request for inspection.

In addition, it is also part of the contractual requirements that contractors shall comply with all legislation in relation to the execution of the service contracts. Specifically, the Occupational Safety and Health Regulation (Cap. 509A) (the Regulation) provides that employers have a duty to ensure, as far as practicable, their employees' safety and health at work, which includes, inter alia, providing sufficient drinking water and toilets for employees. If the Department finds that any contractor fails to comply with the requirements for providing its employees with sufficient drinking water, the Department will issue a notice of blatant default to the contractor without prior warning. The Department will also refer the case to the Labour Department for investigation on any contravention under the Regulation.

The number of reported cases received by the Department 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 February 2019)
No. of reported cases on injury at work*	89	94	65	68	62

* No breakdown on cause of injury is available.

The Department does not have the breakdown of the expenditure on occupational safety.

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