

CONTROLLING OFFICER'S REPLY

FHB(FE)299

(Question Serial No. 3586)

Head: (49) Food and Environmental Hygiene Department
Subhead (No. & title): (000) Operational expenses
Programme: (1) Food Safety and Public Health
(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:

- (a) Regarding the estimated expenditure for improving municipal facilities, did the Government further enhance the labour benefits of cleansing workers in the past year? If yes, please provide the details; if no, please give the reason(s).
- (b) Did the Government improve the resting facilities of cleansing workers and replenish the cleansing equipment in the past year? Please provide the specific details.
- (c) Given that the cleansing workers are employed by management service contractors on inadequate employment terms and conditions, will the Government take any improvement measures? If yes, please provide the details; if no, please give the reason(s).

Asked by: Hon HO Chun-yin, Steven (LegCo internal reference no.: 77)

Reply:

(a) & (c)

In accordance with the measures announced by the Chief Executive in October 2018, the Food and Environmental Hygiene Department has adopted the following enhancement measures for service tenders issued on or after 1 April 2019 to protect non-skilled workers employed by its outsourced service contractors:

- (i) the weighting of technical assessment of the marking scheme increases from the current 30% to 50%;
- (ii) the weighting of wage level increases to 25 points out of 100 points (25%) in the technical assessment;

- (iii) a contractual gratuity being 6% of the total wages earned by a non-skilled worker is provided for the worker 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);
- (iv) statutory holiday pay is provided for a non-skilled worker having been employed under a continuous contract for not less than a month; and
- (v) 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.

For service contracts for which tenders were issued or planned, or which were awarded during the period between the announcement of the new policy on 10 October 2018 and 31 March 2019, FEHD has reached an agreement with the service contractors concerned to incorporate new clauses into the contracts so that the relevant staff can benefit from the new measures with effect from 1 April 2019.

- (b) There is no specific statutory or contractual requirement on the provision of changing and locker facilities. Nevertheless, many venues of FEHD with contractors engaged have changing facilities which can be used by employees of the contractors. Generally speaking, there is sufficient space in public markets managed by FEHD for use by contractors' staff and for keeping cleansing equipment and supplies. For newly built refuse collection points (RCPs), changing and storage facilities are provided for both in-house staff and contractors' staff if circumstances permit. FEHD has also kick-started a pilot scheme to carry out improvement works in existing roll call points, including RCPs, for provision of changing and storage facilities. Changing and storage facilities will be provided if circumstances permit when the RCPs are refurbished. FEHD has conducted a comprehensive review of the facilities in the attendant rooms of public toilets. If circumstances permit, oscillating fans, exhaust fans, power sockets, etc. will be installed in existing attendant rooms. In addition, attendant rooms and related facilities will be provided in new public toilets and when public toilets are refurbished.

FEHD attaches great importance to the safety and occupational safety and health arrangements of staff (including in-house staff and those employed by outsourced contractors). FEHD and public cleansing service contractors assess the risks of various working environment settings and take appropriate precautionary measures, which include providing employees with adequate and suitable protective gear and staff with safety training. Under FEHD's cleansing services contracts, contractors are 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 follow-up action.

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