

# Make prior work arrangements for rainstorms

The Labour Department (LD) today (June 7) reminded employers to make prior work arrangements for staff during and after rainstorms. These arrangements not only can ensure the safety of employees and smooth operation of establishments, but also are conducive to maintaining good labour-management relations.

"Employers should make prior work arrangements for staff and contingency measures during and after rainstorms. In drawing up and implementing the work arrangements, employers should give prime consideration to employees' safety and the feasibility for employees to travel to and from their workplaces. Employers should also give consideration as much as possible to the situations faced by individual employees, such as their place of residence and the road and traffic conditions in the vicinity, and adopt a sympathetic and flexible approach with due regard to their actual difficulties and needs," an LD spokesman said.

"To avoid misunderstanding, disputes and confusion, employers should draw up the work arrangements in consultation with employees and make appropriate updates or amendments based on the experience of each occasion and the needs of both employers and employees as well as the actual situations."

The work arrangements should cover the following matters:

- \* Arrangements in respect of reporting for duty;
- \* Arrangements in respect of release from work;
- \* Arrangements in respect of resumption of work (e.g. the number of hours within which employees should resume duty after the warning concerned is cancelled, when safety and traffic conditions allow);
- \* Arrangements regarding working hours, wages and allowances (e.g. calculation of wages and allowances in respect of reporting for duty and absence); and
- \* Special arrangements in respect of essential staff in times of adverse weather.

"Employers should conduct timely and realistic assessment of whether there is any need for requiring essential staff to report for duty when a rainstorm warning is in force. In assessing the need for essential staff, employers should take into account the safety of employees, including the feasibility for employees to travel to and from their workplaces in adverse weather. Employers should also consider the business nature, operational needs and urgency of service, with due regard to the manpower requirements, staffing establishment and individual needs of employees. Employers should require only absolutely essential staff to report for duty in adverse weather conditions and the number of essential staff should be kept to a minimum as

far as possible.

"If a Red or Black Rainstorm Warning is issued during working hours, employees working indoors should continue to work as usual unless it is dangerous to do so. Supervisors of employees working outdoors in exposed areas should suspend outdoor duties as soon as practicable. They should arrange for their employees to take shelter temporarily and resume duty when weather conditions permit. When the Black Rainstorm Warning is issued, those employees should not resume duty until the warning is cancelled and weather conditions permit. If the Black Rainstorm Warning is still in force by the end of working hours, employees should stay in a safe place until the heavy rain has passed. An area in the workplace should be made available by employers as temporary shelter for employees.

"Employers should provide transport services for employees who are required to travel to and from workplaces when the Black Rainstorm Warning is in force, or grant them an extra travelling allowance.

"For staff who have practical difficulties in resuming work on time upon cancellation of a rainstorm warning, employers should give due consideration to the circumstances of individual employees and handle each case flexibly.

"As rainstorms are natural occurrences that cannot be avoided, for employees who are not able to report for duty or resume work on time due to adverse weather conditions, employers should not withhold their wages, good attendance bonus or allowances without reasons. Employers should enquire into the reasons and give due consideration to the exceptional circumstances in each case and should not penalise or dismiss the employee concerned rashly," he said.

The spokesman also reminded employers to observe the statutory liabilities and requirements under the Employment Ordinance, the Occupational Safety and Health Ordinance, the Factories and Industrial Undertakings Ordinance, the Employees' Compensation Ordinance and the Minimum Wage Ordinance.

Employers should not deduct the annual leave, statutory holidays or rest days employees are entitled to under the Employment Ordinance so as to compensate for the loss of working hours resulting from employees' failure to report for duty upon the announcement of a Black Rainstorm Warning. An employer who without reasonable excuse fails to comply with relevant provisions under the Employment Ordinance is liable to prosecution.

Employers should also note that they have an obligation to provide and maintain a safe working environment for their employees under the Occupational Safety and Health Ordinance.

"If employees are required to work in times of rainstorms, employers should ensure that the risks at work are reduced as far as reasonably practicable," the spokesman said.

Under the Employees' Compensation Ordinance, employers are liable to pay compensation for deaths or injury incurred when employees are travelling by a direct route from their residence to their workplace, or from their workplace back to their residence after work, four hours before or after working hours on a day when Typhoon Signal No. 8 or above or a Red or Black Rainstorm Warning is in force.

The LD has published the "Code of Practice in Times of Typhoons and Rainstorms", which outlines the major principles, the framework, the reference guidelines and information on relevant legislation for reference. The booklet can be obtained from branch offices of the Labour Relations Division or downloaded from the department's webpage ([www.labour.gov.hk/eng/public/wcp/Rainstorm.pdf](http://www.labour.gov.hk/eng/public/wcp/Rainstorm.pdf)).

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## **Primary One Admission special announcement**

Please broadcast the following special announcement immediately and repeat it at suitable intervals:

Although the Education Bureau (EDB) has announced the suspension of schools this morning due to the issue of the RED Rainstorm Warning Signal, all Collection Centres for Primary One Admission will still be open today. For parents who completed a Choice of Schools Form for the Central Allocation on January 18 or 19 this year, but have not received the "Primary One Registration Form" delivered by post through the door-to-door delivery or the "Mail Collection Notification Card" issued by Hongkong Post, they can go to the designated Collection Centre to collect the "Primary One Registration Form" according to the School Net of the applicant child. The EDB advised that when parents go to the Collection Centres, they need not bring along their child. Parents should carefully consider the weather and safety conditions before they decide to go to the Collection Centres.

If parents are unable to collect the Registration Forms at the Collection Centres, they should go to the School Places Allocation Section at Office 2, 2/F, Manulife Financial Centre, 223 Wai Yip Street, Kwun Tong, Kowloon during June 8 to 10 (Monday to Wednesday) from 9am to 6pm to collect the Registration Forms.

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## **SWD urges public not to take children/family members to care centres**

Attention duty announcers, radio and TV stations:

Please broadcast the following special announcement immediately, and repeat it at frequent intervals:

"The Social Welfare Department announces that due to the issuing of the Red Rainstorm Warning Signal, members of the public are advised not to take their children or family members to centres providing after school care programmes or elderly services centres. Centres that normally operate on Sundays and public holidays will, however, remain open to serve those whose families cannot provide alternative care for them. Members of the public who have a need for the services mentioned may contact the service units concerned and confirm their operating hours in advance."

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## **Classes of all schools are suspended this morning**

Attention TV and radio duty announcers:

Please broadcast the following special announcement by the Education Bureau concerning schools, and repeat it at suitable intervals:

As the Red Rainstorm Warning Signal is now in force, classes of all schools are suspended this morning. Schools should keep their premises open and implement contingency measures to look after arriving students.

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## **Flag-raising ceremony cancelled**

Owing to the thunderstorm warning, the flag-raising ceremony to be conducted at Golden Bauhinia Square, Wan Chai at 8am today (June 7) will be cancelled.