

LCQ13: Workers of the construction industry working after consuming alcohol

Following is a question by the Hon Wilson Or and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (May 5):

Question:

It is learnt that some workers of the construction industry have the habit of consuming alcoholic drinks while at work or during lunch. As their judgment may be impaired under the influence of alcohol, industrial accidents are more prone to occur. In this connection, will the Government inform this Council:

(1) of the number of industrial accidents in the construction industry and, among them, the number of those the cause of which was suspected or ascertained upon investigation to be related to the workers concerned being under the influence of alcohol, in each of the past five years; and

(2) whether the existing legislation or relevant guidelines prohibit workers of the construction industry from working after they have consumed alcohol; if not, whether it will, by drawing reference from the practice of the governments of other places of imposing penalties on workers who work after consuming alcohol and their employers, enact the relevant legislation and set the relevant policies, so as to enhance industrial safety of the construction industry?

Reply:

President,

My reply to the question raised by the Member is as follows:

(1) The number of industrial accidents in the construction industry from 2016 to 2020 is set out in Annex.

For the industrial accidents that happened at the construction industry during this period and investigated by the Labour Department (LD), we did not find the workers concerned were under the influence of alcohol.

(2) The existing occupational safety and health (OSH) legislation does not have specific provisions to prohibit construction workers from working after consuming alcohol, or from consuming alcohol at work. However, the general duty provisions of the Factories and Industrial Undertakings Ordinance (Cap. 59) and the Occupational Safety and Health Ordinance (Cap. 509) provide that proprietors/employers shall, so far as reasonably practicable, provide necessary instruction and supervision to ensure the safety and health of

employees at work. Pursuant to the provisions, contractors of the construction industry shall formulate and implement management policy to prevent the influence of alcohol on the OSH of employees and workplaces, including securing the cooperation of employees to implement the relevant policy. The maximum penalty for breaching the above requirements is a fine of \$500,000 and imprisonment for six months.

As far as employees are concerned, the above legislation also requires employees at work to, so far as reasonably practicable, take care of the OSH of themselves and other persons, and cooperate with their employers or other persons to ensure the OSH of employees on construction sites. Hence, construction employees have the responsibility to ensure that they are not influenced by alcohol at work so as to prevent accidents. The maximum penalty for breaching the above requirements is a fine of \$50,000 and imprisonment for six months.

To help employers and employees understand their OSH obligations to prevent the influence of alcohol in workplaces, the Occupational Safety and Health Council and the LD issued "Occupational Safety and Health Handbook" (Chinese version only) and "Safety Handbook for Construction Site Workers" etc. respectively. These publications help contractors and employees comply with the relevant requirements in OSH legislation, and understand the influence of alcohol on the safety and health at work so as to prevent the occurrence of accidents.

During routine inspections and accident investigations, LD officers will pay attention to whether contractors and employees at construction sites comply with the above requirements. The LD will take enforcement actions if there is violation of OSH legislation.

Red flag hoisted at Shek O Beach

Attention TV and radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (May 5) that due to big waves, the red flag has been hoisted at Shek O Beach in Southern District, Hong Kong Island. Beachgoers are advised not to swim at the beach.

Legislative amendments on air transport of dangerous goods to be gazetted on Friday

Legislative amendments which seek to implement the latest requirements of the International Civil Aviation Organization (ICAO) for the safe transport of dangerous goods (DGs) by air will be gazetted on Friday (May 7) and tabled in the Legislative Council on May 12.

A spokesman for the Transport and Housing Bureau said today (May 5) that the Air Navigation (Hong Kong) Order 1995 (Amendment of Schedule 16) Order 2021 and the Dangerous Goods (Consignment by Air) (Safety) (Amendment) Regulation 2021 serve to incorporate the ICAO's latest requirements in the local legislation. Such requirements are set out in a new edition (i.e. the 2021-2022 edition) of the ICAO's Technical Instructions for the Safe Transport of Dangerous Goods by Air.

The major changes introduced by the new edition of the Technical Instructions include:

(a) The DGs training requirements for employees of aircraft operators, shippers and freight forwarders have been revised from the current categorisation approach to a competency-based approach, with a view to producing a competent workforce by providing focused training; and

(b) Some changes have been incorporated into the technical requirements for the classification, packing, marking and labelling of certain kinds of DGs for carriage by air. For instance, a revision to the size of lithium battery marking has been made, additional guidelines have been provided to assist shippers and freight forwarders in conducting an assessment on whether a lithium battery is damaged or defective prior to offering it for air transport, and a new provision allowing the packaging of DGs to bear more than one mark of tested packaging design type has been added.

"The aviation industry has been consulted and supports the legislative proposals," the spokesman said.

The target commencement date for the above legislative amendments is July 2, 2021.

"Career Let's Go" to help secondary

school leavers plan their future

The Labour Department (LD) will launch a special programme, "Career Let's Go", from May to August for secondary school leavers who intend to enter the employment market. Through an array of diversified pre-employment training and employment services, the programme aims to help school leavers obtain the latest employment information, plan for their careers and enhance their employability. The programme is expected to draw about 7 000 participants.

An LD spokesperson said, "We have identified various job vacancies suitable for secondary school leavers, which they can browse at the dedicated webpage of 'Career Let's Go' and make applications for according to their personal aspirations."

The dedicated webpage also provides details on different types of job fairs organised by the LD, including:

- * Job fairs under the Youth Employment and Training Programme (YETP): The programme targets young school leavers aged 15 to 24 with educational attainment at sub-degree level or below. Some positions provide tailor-made pre-employment training, after which trainees will undergo salaried on-the-job training for six to 12 months;
- * Recruitment days held at the LD's job centres in different districts and industry-based recruitment centres: Job seekers can have on-the-spot job interviews with employers of various industries and thus save time; and
- * Large-scale job fairs: A diversified range of job vacancies, many of which are suitable for secondary school leavers, are provided.

"We encourage secondary school leavers opting to enter the employment market to join our YETP, which provides one-stop comprehensive pre-employment and on-the-job training. With no pre-set quota, the programme is free of charge, with allowances payable to trainees," the spokesman said.

The spokesman added, "To enhance the job interview skills of school leavers, help them unleash their potential at work and instil proper values in work ethics, the LD's two youth employment resource centres, namely Youth Employment Start in Mong Kok and Kwai Fong, will also provide a series of practical training courses through the 'Happy@Work' programme."

The latest information of "Career Let's Go" has been uploaded to its dedicated webpage (www.jobs.gov.hk/careerletsgo). Details of various events are also enclosed in the appendix. Enquiries can be made at the LD's 24-hour hotline 2717 1771, which is operated by 1823.

A person visited the eighth floor at the Wan Chai Immigration Tower tested positive for COVID-19

Immigration Department (ImmD) today (May 5) said the department was notified by the Centre for Health Protection (CHP) yesterday (May 4) that an applicant had briefly visited the Hong Kong Registration of Persons Office on the eighth floor of the Immigration Tower on April 21 had been tested positive for COVID-19.

The person concerned approached the office for identity card registration formalities on the captioned date and briefly stayed there for around 15 minutes. Three ImmD staff were classified by CHP as close contacts and arranged to undergo compulsory quarantine and medical surveillance. Arising from another tested positive case as notified by CHP, the office had arranged thorough cleaning and sterilization on April 23 and April 26 respectively, and all staff had undergone COVID-19 testing in accordance with the CHP's advice.

During the situation of COVID-19 infection, the department has been strictly implementing various disease prevention measures, including measuring the body temperature of and providing alcohol-based handrub to all persons before their entry into the building, providing employees with masks and other protective equipment, requiring employees to wear masks when performing duties, and stepping up the cleaning and sterilising measures for the working environment.

The department will continue to maintain close liaison with the CHP, actively co-operate with CHP's quarantine arrangements and has also reminded its staff to pay attention to personal hygiene and stay vigilant. Staff have been reminded to seek medical advice and inform the department as soon as possible if feeling unwell.