

Five illegal workers jailed

Five illegal workers comprising three Vietnamese and two Indians, were jailed at Shatin and Tuen Mun Magistrates' Courts on May 25 and 26 respectively.

During a joint operation conducted by the Immigration Department (ImmD) and the Labour Department codenamed "Rainbow" on May 23, ImmD investigators raided a restaurant in Sheung Shui. One female Vietnamese illegal worker, aged 39, was arrested. When intercepted, she was found washing dishes. Upon identity checking, she produced for inspection a recognisance form issued by the ImmD, which prohibits her from taking employment. Further investigation revealed that she was a non-refoulement claimant. In addition, she was also suspected of using and being in possession of a forged identity card. One employer suspected of employing the illegal worker was arrested and the investigation is ongoing.

Moreover, during operation "Twilight" conducted on May 23, ImmD investigators raided a restaurant in Causeway Bay. A male Vietnamese illegal worker and a female Vietnamese illegal worker, aged 27 and 29 respectively, were arrested. When intercepted, they were performing kitchen work. Upon identity checking, the male produced for inspection a recognisance form issued by the ImmD, which prohibits him from taking employment. Further investigation revealed that he was a non-refoulement claimant. The female was found to be an illegal immigrant. Meanwhile, an employer suspected of employing the illegal workers was arrested and the investigation is ongoing.

In addition, ImmD investigators received a referral from the Hong Kong Police Force to further investigate an illegal employment case in May. Enforcement officers arrested two male Indian workers, aged 39 and 25 respectively, disposing construction waste in San Po Kong. Upon identity checking, they produced for inspection recognisance forms issued by the ImmD, which prohibit them from taking employment. Further investigation revealed that they were non-refoulement claimants.

The five illegal workers were charged at Shatin and Tuen Mun Magistrates' Courts on May 25 and 26 respectively with taking employment after landing in Hong Kong unlawfully and remaining in Hong Kong without the authority of the Director of Immigration or while being a person in respect of whom a removal order or deportation order was in force. They pleaded guilty to the charges and were sentenced to imprisonment ranging from 15 months to 17 months. In addition, one of them was also charged with using a forged Hong Kong identity card and was sentenced to 15 months' imprisonment. All sentences are to run concurrently, making a total of 15 months' imprisonment.

The ImmD spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are prohibited from taking any

employment, whether paid or unpaid, or establishing or joining in any business. Offenders are liable upon conviction to a maximum fine of \$50,000 and up to three years' imprisonment. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases.

The spokesman also warned that it is an offence to use or possess a forged Hong Kong identity card or an identity card relating to other person. Offenders are liable to prosecution and a maximum penalty of a \$100,000 fine and up to 10 years' imprisonment.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to the court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct initial screening of vulnerable persons, including illegal workers, illegal immigrants, sex workers and foreign domestic helpers, who are arrested during any operation with a view to ascertaining whether they are trafficking in persons (TIP) victims. When any TIP indicator is revealed in the initial screening, the officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threat and coercion in the recruitment phase, and the nature of exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent interference, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

Missing man in Kwun Tong located

A man who went missing in Kwun Tong has been located.

Zhuang Ruguo, aged 45, went missing after he was last seen on Cha Kwo

Ling Road on May 21 morning. His family made a report to Police on the same day.

The man returned to his residence on May 26 night. He sustained no injuries and no suspicious circumstances were detected.

Employers and employees should take precautions against heat stroke

As the Hong Kong Observatory has issued the Very Hot Weather Warning, the Labour Department (LD) reminds employers and employees to take appropriate precautions to prevent heat stroke.

Heat stroke could occur if an employee works in a hot or humid environment for prolonged periods of time, as the body may fail to regulate its temperature by effective heat dissipation through sweating.

The early symptoms of heat stroke include feeling thirsty, fatigue, nausea and headache. Later, the victim may experience shortness of breath, rapid and weak pulse, dizziness, confusion or even loss of consciousness and convulsion.

For example, construction workers, cleaning workers, kitchen workers and porters are more prone to heat stroke when working for long hours in such an environment, especially if appropriate preventive measures have not been taken.

The LD reminds employers to arrange for a suitable assessment of the risk of heat stress in the work environment and take appropriate preventive measures. The LD has produced two leaflets entitled "Checklist for Heat Stress Assessment at Construction Sites" and "Checklist for Heat Stress Assessment at Outdoor Cleansing Workplaces" respectively. Employers engaged in construction or outdoor cleaning work are advised to refer to these checklists in assessing the risk of heat stress at their workplaces. As for heat stress assessment at a workplace in general, employers can refer to a booklet entitled "Risk Assessment for the Prevention of Heat Stroke at Work" produced by the LD.

The LD also reminds employers and employees to take the following precautions to prevent heat stroke:

Employers

(1) Take heed of the weather report and adopt shift work arrangements for employees to reduce their exposure to the hot environment, or arrange

- appropriate rest breaks for them during very hot periods;
- (2) Avoid working under direct sunlight and set up temporary sunshade wherever possible;
 - (3) Provide cool potable water for employees at all times during work. If necessary, provide drinks containing minerals for employees to replenish loss of electrolytes during profuse sweating;
 - (4) Minimise physical demands by using tools or mechanical aids at work;
 - (5) Increase air flow by enhancing ventilation or air-conditioning as appropriate;
 - (6) Isolate heat-generating facilities at the workplace and use insulating materials to minimise heat dissipation to the other work areas; and
 - (7) Provide relevant information and training for employees on heat stroke such as preventive measures and first aid treatment.

Employees

- (1) Wear clothing made of suitable materials (for example, cotton) that is loose-fitting and light-coloured to help heat dissipation, minimise heat absorption and allow sweat evaporation;
- (2) Wear a wide-brimmed hat when working outdoors;
- (3) Drink plenty of water or other appropriate beverages to replenish the fluids and electrolytes lost through sweating; and
- (4) Whenever there are any symptoms of heat stroke, inform supervisors and take appropriate actions immediately.

Some employees may have difficulty in adapting to a hot working environment owing to their own health conditions. Employers should take this into account and consider the recommendations of their doctors when assigning work to these employees.

In addition to the publications on risk assessment, the LD has produced a leaflet entitled "Prevention of Heat Stroke at Work in a Hot Environment" for the public. The publications can be obtained free of charge from the offices of the Occupational Health Service of the LD, or downloaded from the department's webpage at www.labour.gov.hk/eng/public/content2_9.htm.

The LD organises occupational health talks in public places and at its own training venues regularly to raise employers' and employees' awareness of occupational health. Details of health talks on the prevention of heat stroke at work in May and June are as follows:

(A)

Dates: June 4, 19 and 26 (am) and June 7 and 22 (pm)

Time: Half-day

Venue: Occupational Safety and Health Training Centre of the Labour Department, 13/F, Kowloon Tsuen Wan I, 68 Chung On Street, Tsuen Wan, New Territories

(B)

Dates: May 29 and June 8

Time: Half-day, morning

Venue: Occupational Safety and Health Centre of the Labour Department, G/F, Kwun Tong Community Health Centre Building, 60 Hip Wo Street, Kwun Tong (MTR Kwun Tong Station Exit A1)

(C)

Date: June 13

Time: 3pm to 4.30pm

Venue: Lecture Hall, Hong Kong Space Museum, 10 Salisbury Road, Tsim Sha Tsui, Kowloon (MTR Tsim Sha Tsui Station Exit E)

For enrolment or enquiries about these occupational health talks, please call 2852 4040 or 2361 8240 (for talks organised at the Occupational Safety and Health Centre). Moreover, the LD also provides an outreach health education service and occupational health nurses will, on invitation, disseminate occupational health information at workplaces at a convenient time. Please contact the nursing officer at 2852 4062 for details. All these health talks are free of charge.

[Labour Department to hold occupational health public talks](#)

The Labour Department (LD) will hold a public talk entitled "Prevention of lower limb disorders" on June 4 (Monday). The talk will introduce symptoms of common lower limb disorders, including plantar fasciitis, varicose vein and knee osteoarthritis, as well as their treatment and preventive measures.

The talk will be held at 6.30pm at Activity Room 1, Hong Kong Central Library, 66 Causeway Road, Causeway Bay. An occupational health nurse from the LD will lead practical demonstrations of workplace exercises.

The LD will hold another talk entitled "Health hazards of hot environment at work" on June 13 (Wednesday). The talk, designed for workers in hot environments to enhance their awareness of heat stroke prevention, will include symptoms of heat stroke, its first aid management and preventive measures.

The talk, to be given by the LD's occupational health nurse and occupational hygienist, will be held at 3pm in the Lecture Hall of the Hong Kong Space Museum, 10 Salisbury Road, Tsim Sha Tsui.

Both talks will be conducted in Cantonese. Admission is free. For enquiries or registration, please call 2852 4040.

Firing practice for June 2018

Firing practice will take place at two military sites, namely the San Wai/Tai Ling Firing Range and the Tsing Shan Firing Range, next month (June).

Red flags or red lamps will be hoisted at the firing areas before and during firing practice. For their safety, people are advised not to enter the firing area.

Following are the dates and times for the firing practice sessions in June 2018:

San Wai/Tai Ling Firing Range

Date	Time
June 1 (Friday)	8am-9pm
June 2 (Saturday)	8am-9pm
June 4 (Monday)	8am-9pm
June 5 (Tuesday)	8am-9pm
June 6 (Wednesday)	8am-9pm
June 7 (Thursday)	8am-9pm
June 8 (Friday)	8am-9pm
June 9 (Saturday)	8am-9pm
June 11 (Monday)	8am-9pm
June 12 (Tuesday)	8am-9pm
June 13 (Wednesday)	8am-9pm
June 14 (Thursday)	8am-9pm
June 15 (Friday)	8am-9pm
June 16 (Saturday)	8am-9pm
June 19 (Tuesday)	8am-9pm
June 20 (Wednesday)	8am-9pm
June 21 (Thursday)	8am-9pm
June 22 (Friday)	8am-9pm
June 23 (Saturday)	8am-9pm
June 25 (Monday)	8am-9pm
June 26 (Tuesday)	8am-9pm
June 27 (Wednesday)	8am-9pm
June 28 (Thursday)	8am-9pm
June 29 (Friday)	8am-9pm
June 30 (Saturday)	8am-9pm

Tsing Shan Firing Range

Date	Time
June 1 (Friday)	8am-9pm
June 2 (Saturday)	8am-9pm
June 4 (Monday)	8am-9pm
June 5 (Tuesday)	8am-9pm
June 6 (Wednesday)	8am-9pm
June 7 (Thursday)	8am-9pm
June 8 (Friday)	8am-9pm
June 9 (Saturday)	8am-9pm
June 11 (Monday)	8am-9pm
June 12 (Tuesday)	8am-9pm
June 13 (Wednesday)	8am-9pm
June 14 (Thursday)	8am-9pm
June 15 (Friday)	8am-9pm
June 16 (Saturday)	8am-9pm
June 19 (Tuesday)	8am-9pm
June 20 (Wednesday)	8am-9pm
June 21 (Thursday)	8am-9pm
June 22 (Friday)	8am-9pm
June 23 (Saturday)	8am-9pm
June 25 (Monday)	8am-9pm
June 26 (Tuesday)	8am-9pm
June 27 (Wednesday)	8am-9pm
June 28 (Thursday)	8am-9pm
June 29 (Friday)	8am-9pm
June 30 (Saturday)	8am-9pm