

Special enforcement operation targets new works construction sites in Kai Tak Development Area and Kowloon Bay

The Labour Department (LD) had completed a four-week Special Enforcement Operation on May 21 targeting new works sites in the Kai Tak Development Area and Kowloon Bay to curb unsafe work activities and crack down on illegal employment.

The LD's spokesman today (May 25) said, "As regards curbing unsafe work activities, the Occupational Safety Officers of the LD inspected a total of 73 new works sites located at the above-mentioned areas, with 438 improvement notices issued and 51 prosecutions initiated during this special enforcement operation. The above-mentioned legal notices and prosecutions mainly involved failure to erect guard rails at floor edges, failure to use safe working platforms, unsafe electrical work and lifting operations, as well as failure to wear suitable safety helmets and eye protectors by workers."

Pursuant to the general duty provisions of the Factories and Industrial Undertakings Ordinance, employers shall provide safe working environments, safe plant and systems of work for their employees. Those who contravene the above provisions are liable to a maximum fine of \$500,000 and imprisonment for six months.

The spokesman added, "With regard to cracking down on the employment of illegal workers, the Labour Inspectors of the LD, vested with the authority of Part IVB of the Immigration Ordinance, checked a total of 170 workers on employee's proof of identity at the new work sites of the Kai Tak Development Area in this operation. A total of 30 contractors were also checked if employees' compensation insurance was in place under the Employees' Compensation Ordinance.

"Pursuant to the relevant provisions of the Immigration Ordinance, employers are required by law to take all practicable steps to ensure that job seekers are lawfully employable before employing them. Employing illegal workers is a serious offence. Employers are liable to a fine of \$350,000 and imprisonment for three years upon conviction. In addition, pursuant to the relevant provisions of the Employees' Compensation Ordinance, no employer shall employ any employee in any employment unless there is in force a policy of insurance to cover his liabilities under the laws (including the common law) for injuries at work in respect of all his employees. An employer who fails to secure an insurance cover is liable to prosecution and, upon conviction, to a maximum fine of \$100,000 and imprisonment for two years."

The LD reminds contractors and employers to provide plant and devise systems of work for their work activities that are safe and without risks to health to safeguard the work safety of construction workers. Employees should co-operate with their employers, adopt all safety measures and use the

provided personal protective equipment properly to avoid endangering their own work safety and that of other workers. For employees' rights and benefits, the employers shall ensure that job seekers are lawfully employable before employing them, and take out the employees' compensation insurance.

The LD will from time to time continue to conduct surprise inspections, and will take actions pursuant to the law if there is any violation of the occupational safety and health legislation, and employees' rights and benefits legislation.