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Work arrangements in times of adverse weather¹ and "extreme conditions"

In Hong Kong, tropical cyclone² and rainstorm warnings³, "extreme conditions"⁴ and other adverse weather conditions (such as the Landslip Warning, the Special Announcement on Flooding in the Northern New Territories and Localised Heavy Rain Advisory, etc.) or the resultant traffic and road problems may affect the operation of various trades and industries, work safety of employees as well as public transport services to and from workplaces. The impact of "extreme conditions" on work arrangements may be akin to or even more serious than that of Tropical Cyclone Warning Signal No. 8 (T8) or higher tropical cyclone warning signals and Black Rainstorm Warning Signal.

Before the commencement of employment contracts, employers should notify employees of the work arrangements in times of adverse weather and "extreme conditions", including report for duty, release from work, resumption of work and remote work (if applicable). If it is not practicable to notify employees of the work arrangements before the commencement of employment contracts, employers should give prior and clear notice to employees on the arrangements. Employers should also conduct timely and realistic assessment of whether there is any need for employees to report for duty at workplaces in a safe manner when T8 or higher, the Black Rainstorm Warning Signal or "extreme conditions" is in force ("designated staff"); and if needed, specifying in advance employees who are designated staff. Employers should keep the number of staff required to report for duty at workplaces under adverse weather or "extreme conditions" to the minimum as far as possible, taking into account their business nature, operational needs and urgency of service, and with due regard to the manpower requirements, staffing establishment and

individual needs of employees. Employers should also take effective measures to ensure that all employees are aware of and have agreed to such arrangements, so as to avoid unnecessary disputes and confusion.

Employers should consult staff and engage them when formulating work arrangements and contingency measures. If employees foresee possible difficulties and unsafe situations in commuting to and from workplaces in times of adverse weather or "extreme conditions", they should communicate with employers the earliest possible so that employers can make necessary advance arrangements based on the operational requirements and the needs of individual employees.

If the Government makes an "extreme conditions" announcement, apart from designated staff specified by employers, employees are advised to stay in the place they are currently in or in safe places when "extreme conditions" is in force, instead of heading for work immediately. Employees already reported for duty at workplaces could continue to work as usual in a safe manner. If the workplaces are in danger, employers should arrange staff, including designated staff, to be released from workplaces or from work early under feasible conditions and in a safe manner or make available a safe place as temporary shelter for employees. If working time ends while "extreme conditions" is still in force, employers can release employees from workplaces in a safe manner or provide a suitable area as temporary shelter for those still at workplaces. During the period when "extreme conditions" is in force, the Government will review the situation and will announce whether to extend the "extreme conditions" prior to the expiry of the specified period. Employers and employees should stay alert to further Government announcements. Meanwhile, employers should flexibly apply work arrangements in times of adverse weather in respect of resumption of work and other work arrangements, with due regard to the operational needs of individual industries.

In drawing up work arrangements for adverse weather and "extreme conditions" with their employees, employers should not make across-the-board work arrangements, and should be sympathetic to the circumstances faced by individual employees (such as the road and traffic conditions of their places of residence and the vicinity) taking account of their genuine difficulties and needs, and should adopt a flexible approach. Employers should also review the work arrangements for adverse weather and "extreme conditions" regularly and make appropriate updates or adjustments with due regard to the experience and practical situations as well as the needs of both employers and employees.

¹ The adverse weather mentioned in this Code of Practice generally refers to weather conditions related to weather warnings listed in Appendix 1.

² Tropical Cyclones are classified into six categories, namely Tropical Depression, Tropical Storm, Severe Tropical Storm, Typhoon, Severe Typhoon and Super Typhoon as the strongest category. Tropical cyclone advisory bulletins and / or warnings are issued by the Hong Kong Observatory whenever a tropical cyclone centred within 800 km of Hong Kong poses a threat to the territory.

³ The rainstorm warning system is designed to alert the public about the occurrence of heavy rain which is likely to bring about major disruptions, and to ensure a state of readiness within the essential services to deal with emergencies.

In the case where a Super Typhoon or other natural disasters of a substantial scale seriously affects the working public to resume work or bring safety concern for a prolonged period, such as large-scale power outage, extensive fallen windows from high-rises leading to dangerous streetscape, major landslides, extensive flooding, widespread serious obstruction of public transport services, etc., if situation warrants, the Government will decide whether it is necessary to make a territory-wide "extreme conditions" announcement.

Employers and employees should make reference to the following three major principles and work out practical and reasonable work arrangements as early as possible:

- Most suitable work arrangements agreed by employers and employees (see Chapter 2)
- Safety of employees (see Chapter 3)
- 3 Statutory provisions and obligations under relevant Ordinances (see Chapter 4)

In addition to the above major principles, employers should also take into account the nature and operational requirements of individual trades and establishments as well as other applicable principles and conditions when drawing up the work arrangements with employees.

Framework of the work arrangements for adverse weather and "extreme conditions"

Depending on the job nature, operational requirements of employers and situations of individual employees (such as pregnancy, disability, living in areas with limited public transport services or other needs), the work arrangements for adverse weather and "extreme conditions" or related disruptions to traffic and road conditions should cover the following aspects:

- Arrangements in respect of report for duty
- Arrangements in respect of release from work
- 3 Arrangements in respect of resumption of work
 - ◆ The arrangements for resumption of work after the cancellation of T8, Black Rainstorm Warning Signal and other adverse weather warnings, or when "extreme conditions" ended, and when safety and traffic conditions allow (e.g. number of hours within which employees should resume duty after the concerned warning is cancelled)
- 4 Arrangements in respect of remote work (e.g. work from home) (if applicable) (e.g. duty and work arrangements when tropical cyclone / rainstorm warnings or "extreme conditions" is in force and cancelled / ended)

- 6 Arrangements regarding working hours, wages and allowances
- Payment arrangement for employees who are not required to work when tropical cyclone, rainstorm and other adverse weather warnings or "extreme conditions" being in force;
- How working hours and wages will be reckoned when designated staff cannot report for duty or have started work but need to stop due to adverse weather or "extreme conditions";
- ◆ The allowances (e.g. allowances for duties, travelling or extended working hours under adverse weather and "extreme conditions") payable to designated staff and the method of calculation.
- 6 Special arrangements in respect of designated staff in times of adverse weather and "extreme conditions"

Other special conditions

Apart from "extreme conditions" arising from adverse weather, the Government may make an "extreme conditions" announcement under other natural disasters of a substantial scale. In case of "extreme conditions" caused by natural disasters of a substantial scale, special conditions or unexpected incidents affecting employees' work safety as well as public transport services to and from their workplaces, employers should suitably apply the aforementioned work arrangements and contingency measures to such special conditions.

Reference guidelines on work arrangements for adverse weather and "extreme conditions" for work in general (See Chapter 5) and outdoor work (See Chapter 6)

As regards the three major principles and framework set out in this Chapter, guidelines on work arrangements for adverse weather and "extreme conditions" for work in general and outdoor work are listed in the ensuing Chapters respectively for reference by employers and employees.

The abovementioned reference guidelines are for reference only. When drawing up work arrangements and contingency measures, employers and employees should make suitable adjustments to work out appropriate and flexible work arrangements with due regard to the needs of individual employees, operational requirements as well as the particular nature of the establishment and the job, etc. In addition, if non-designated staff are temporarily required to work at workplaces under adverse weather conditions, including in times of T8 or higher, the Black Rainstorm Warning Signal or "extreme conditions" is in force, due to operational requirements of individual establishments or other special conditions, the relevant work arrangements should be in line with those for designated staff.

Formulating most suitable work arrangements by employers and employees

Principles

Given the diversity in nature and requirements of different jobs in various trades and industries, and the different districts where employees commute and resume work, employers and employees should adopt a flexible approach in drawing up the work arrangements for adverse weather conditions instead of across-theboard arrangement. Employers should be sympathetic to the circumstances faced by individual employees (such as pregnancy, disability, living in areas with limited public transport services or other needs) and give due consideration to their actual difficulties and needs. For example, employers may allow employees to resume work in stages, permit remote work (e.g. work from home) (if applicable) for employees who have difficulties in returning to workplaces or allow more time for them to report for duty and resume work.

The situations under different rainstorm warnings and tropical cyclone warnings vary. The development and movement of rainstorms that affect Hong Kong can be vastly different. Rainstorm warning signals may be issued or changed within a relatively short period of time, which normally pose less impact than tropical cyclone warnings on employees working indoors or sheltered places. Therefore, it will not necessarily be a safer way to release these employees from workplaces when the Black Rainstorm Warning Signal is in force. Apart from rainstorm warnings, attention should also be paid to the Special Announcement on Flooding in the Northern New Territories and the Localised Heavy Rain Advisory on threat induced by heavy rain. Employers and employees should discuss and work out suitable arrangements with regard to actual situations.

Implementation

Employers should take into account the employees' workplace locations and areas of residence in working out in advance with their employees a reasonable time for report for duty, release from work, resumption of work, and consider staggered arrangement for releasing employees from work and resuming work, or remote work (if applicable). Even though employers have made prior work arrangements for individual employees in times of adverse weather and "extreme conditions", employers should be considerate and flexible in handling cases of employees who have genuine difficulties to report for duty at workplaces or arrive at work on time having regard to the weather, road, traffic and safety conditions that employees may face in reporting for duty, releasing from work and resuming work. For example:

- Employees may not be able to report for duty at workplaces because of the suspended or limited public transport services;
- Employees who are pregnant or with disabilities may have inconvenience or difficulties in commuting to their workplaces;
- Heavy rain that hinders employees to resume work at workplaces may only concentrate on their areas of residence.

Flexible measures should be adopted depending on the conditions and nature of individual establishments. Some examples are as follows:

- When Pre-No. 8 Special Announcement⁵ or T8 is issued, priority should be given. to release needy employees from workplaces or from work⁶;
- Arrange staggered resumption of work by the place of residence of employees or adjusting the duty roster arrangement, etc. after the cancellation of T8, Black Rainstorm Warning Signal or when "extreme conditions" ended;
- Exempt employees from resuming work if T8, Black Rainstorm Warning Signal is cancelled or when "extreme conditions" ended less than 3 hours before the end of working hours:
- Permit remote work for employees who have difficulties in returning to their workplaces or allow more time for them to report for duty and resume work.

⁵ The Hong Kong Observatory will in general warn the public by issuing Pre-No. 8 Special Announcement about two hours before T8 is issued. This advance notice is to enable the public to prepare for the T8, as well as to enable employers to begin a staggered release of employees from the workplaces or from work, giving priority to those with long or difficult journeys home, so as to ensure their safety and spread out the demand for public transport services.

⁶ Employers and employees should make prior agreement whether other work arrangements such as remote work (if applicable) and supporting measures are in place during working hours for employees who are released from workplaces early, unable to or need not report for duty at workplaces due to adverse weather or "extreme conditions".

Chapter 2

Chapter 3

Remote Work (if applicable)

Depending on operation of individual establishment and job nature of different positions, employers should conduct timely and realistic assessment on feasibility for employees to work remotely (e.g. work from home) when necessary (including when T8 or higher, Black Rainstorm Warning Signal or "extreme conditions" is in force and cancelled / ended, if employees have difficulties in returning to workplaces, or under other special conditions, etc.). Employers may consider the following factors in assessing the feasibility for employees to work remotely and drawing up relevant human resources policy and code of practice:

- Subject to business nature and operational needs of individual establishment as well as the positions and duties of employees, employers should draw up in advance the scope and mode of work for employees who are suitable to work remotely and specify the situations to kick start the arrangements;
- Employers should consult staff with due consideration to their needs (such as pregnancy, disability or other needs), and keep communication with them in implementation;
- The channels for employers to communicate with employees and supervise their work during periods of remote work (e.g. by email, telephone and communication applications, etc.).
- Whether employees have the necessary equipment and facilities for handling their duties while working remotely (e.g. computer equipment with required software and anti-virus software, etc.);
- Whether employees are required to process sensitive or confidential information and documents. Whether the relevant handling procedures and security measures⁷ are in place;
- Examine and review the facilities and measures for implementing remote work arrangements;
- Observe the statutory obligations and relevant requirements under the Employment Ordinance, the Occupational Safety and Health Ordinance, the Employees' Compensation Ordinance and the Minimum Wage Ordinance.

Arrangements regarding wages, allowances and leave

Tropical cyclones and rainstorms are natural calamities. Employers should neither deduct the wages, good attendance bonus or allowances of employees, nor require employees to compensate subsequently for the loss of working hours in response to the special situation that they are not required to report for duty, released from workplaces early, unable to report for duty at workplaces or resume work timely due to adverse weather, "extreme conditions" or other factors beyond their control. Due consideration should be given to the exceptional circumstances of each case. Likewise, their entitlement to annual leave, statutory holidays or rest days under the Employment Ordinance should not be affected.

Employers should adopt the following measures for employees who are required to report for duty at workplaces during T8 or higher, Black Rainstorm Warning or "extreme conditions" is in force ("designated staff"):

- Employers should grant an extra duty allowance and special travelling allowance for commuting to and from workplaces;
- If safe public transport services are not available under adverse weather or "extreme conditions", employers should consider providing safe shuttle transport services;
- If employees on the next shift are unable to report for duty at workplaces in times of adverse weather or "extreme conditions", or due to genuine difficulties, employers may wish to request employees of the preceding shift to continue to work due to operational requirements. Employers should seek the consent of the employees and ensure their physical fitness and arrange adequate rest breaks. Employers should grant the employees who agree to continue to assist an allowance more favourable than their normal wages for their extended service.

To enhance data security and the protection of personal data privacy under remote work arrangements, please refer to the Guidance Note promulgated by the Office of the Privacy Commissioner for Personal Data, Hong Kong ("PCPD"), namely "Protecting Personal Data under Work-from-Home Arrangements: Guidance for Organisations", "Protecting Personal Data under Work-from-Home Arrangements: Guidance for Employees" and "Protecting Personal Data under Work-from-Home Arrangements: Guidance on the Use of Video Conferencing Software".

Chapter 3

Chapter 2

Employers should regularly communicate with employees and suitably adopt their views in reviewing the work arrangements for adverse weather or "extreme conditions". Based on the experience of each occasion, the needs of both employers and employees as well as practical situations, appropriate updates or adjustments should be made such as:

- the priority and arrangements for releasing employees;
- arrangements for resumption of work;
- Remote work arrangements (if applicable);
- the list of designated staff who are required to report for duty at workplaces in times of adverse weather or "extreme conditions", work arrangements, safety measures and shuttle transport services, etc.

3 Safety of employees



Tropical cyclones, rainstorms, "extreme conditions" or other adverse weather conditions may affect the safety of the workplaces and the journey of employees to and from their workplaces.

In this regard, employers should ensure the work safety of employees in the above conditions and that the risks at work have been properly controlled and minimised. In drawing up the work arrangements, employers should give prime consideration to employees' safety and the conditions of their journeys to and from workplaces. In any case, employees' safety should be the prime consideration.

Moreover, employers and employees should take note of and comply with the relevant safety guidelines before an adverse weather warning or "extreme conditions" is in force and after it is cancelled / ended. Employers should regularly remind employees of the relevant safety guidelines and work arrangements.

Employers' obligations

Points to note before adverse weather and "extreme conditions"

- Release non-designated staff from workplaces or from work in stages according to the work arrangements when it is safe to do so;
- Conduct timely and realistic assessment of whether there is any need for requiring employees to report for duty at workplaces when T8 or higher, the Black Rainstorm Warning Signal or "extreme conditions" is in force ("designated staff"); and if needed, specifying in advance employees who are designated staff and making early arrangement on transportation and calculation of wages and allowances. The employers should take effective measures to ensure that all employees are aware of and have agreed to such arrangements, so as to avoid unnecessary disputes and confusion;

- In assessing the need for designated staff, employers should give prime consideration to the safety of employees, including the feasibility for employees to travel to and from their workplaces or remote work in adverse weather and "extreme conditions". Employers should keep the number of staff required to report for duty at workplaces under adverse weather or "extreme conditions" to the minimum as far as possible, taking into account their business nature, operational needs and urgency of service, and with due regard to the manpower requirements, staffing establishment and individual needs of employees. The employees concerned should be notified in advance of the working arrangements;
- Discuss with designated staff who are required to report for duty at workplaces under adverse weather and "extreme conditions" the work arrangements and contingency measures, and work out arrangements for their transportation, safety, meal and rest place, etc.;
- Conduct safety assessments, take suitable precautionary measures and provide a safe shelter or structure to protect employees working in adverse weather and "extreme conditions" from the effects of strong wind, thunderstorms and rainstorms and accord top priority to employees' safety at all times;
- Apart from drawing up the work arrangements for adverse weather and "extreme conditions" with employees, employers should formulate safety plans and emergency plans. For example, they should provide employees who have to work under the above conditions with an urgent evacuation route, safe shelters, first aid facilities, food, drinking water and backup services. They should also disseminate weather and safety information to employees who are working outdoors or in remote areas;
- If employees have to work in times of adverse weather and "extreme conditions", employers should develop a safe system of work⁸ and provide employees with the necessary work equipment such as communication system and suitable personal protective equipment;
- Develop training plans to provide employees with training programmes pertaining to hazards associated with adverse weather and "extreme conditions" and the relevant precautionary measures.

Points to note of adverse weather or "extreme conditions" during work

- Upon the issuance of the Pre-No. 8 Special Announcement or T8 by the Hong Kong Observatory, employers should release non-designated staff from the workplaces or from work in stages according to the agreed work arrangements;
- If designated staff have to report for duty at workplaces under adverse weather or "extreme conditions" as agreed, employers should give prime consideration to the safety of employees and take suitable safety measures. If their workplaces are endangered by adverse weather or "extreme conditions", employers should arrange them to take shelter in a safe place;
- Public transport services may be suspended or limited under adverse weather or "extreme conditions". Employers should grant a travelling allowance to designated staff who are required to travel to and from their workplaces or pay for the actual cost of transport. Employers should also consider providing safe shuttle transport services to designated staff if safe public transport services are not available under adverse weather or "extreme conditions":
- In times of adverse weather or "extreme conditions" leading to suspension of shuttle transport services arranged by employers and public transport services, employers should give prime consideration to the safety of employees and should not request them to return to workplaces immediately;
- Employees reporting for duty at workplaces may not be able to go out for meal under adverse weather or "extreme conditions". Employers should provide them with food and drinking water at the workplaces as necessary;
- If employees at workplaces are unable to leave after their work due to weather conditions, suspension of public transport services or other special situations, employers should arrange a suitable and safe area at workplaces for employees to take shelter:
- Employees should suspend all outdoor work in exposed areas immediately and take shelter in a safe place if they are endangered by adverse weather or "extreme conditions";
- Supervisors should inspect all the workplaces and suspend those works that cannot be safely performed under adverse weather and "extreme conditions";
- Pay attention to the latest weather broadcasts issued by the Hong Kong Observatory and prepare for immediate evacuation of employees from the workplaces where safety is affected.

A safe system of work is a suitable safe working procedure which results from systematic examination of a task in order to identify all the hazards. It formulates effective and reasonably practicable safe methods to ensure that hazards are eliminated or risks are minimised. The five steps to a safe system of work are: (i) Assessing the task; (ii) Identifying the hazards; (iii) Formulating safe methods; (iv) Implementing the system; and (v) Monitoring the system.

Points to note after adverse weather and "extreme conditions"

- In addition to workplaces, employers should consider the road and traffic conditions of employees commuting to and from their workplaces. If employees face genuine difficulties when T8, Black Rainstorm Warning Signal is cancelled or "extreme conditions" ended (e.g. roads are not cleared in a particular district, or public transport services are not resumed immediately), employers should not require employees to report for duty immediately or arrange remote work (if applicable);
- If the workplaces are damaged and are posing potential safety risks (such as broken exterior walls or windows, etc.), employers should immediately carry out safety inspections, prepare and adopt appropriate safety measures to accord top priority to employees' safety at all times before arranging them to return to the workplaces;
- Assess the impact of adverse weather and "extreme conditions" on the workplaces and prohibit the entry of any persons other than maintenance personnel into the areas that are still dangerous. If employers need to assign designated staff to workplaces with potential hazards, they should not only provide suitable safety measures and protective equipment (such as safety helmets with chin straps, raincoats and waterproof safety boots, etc.), but also make sure that the risks at work have been reduced as far as reasonably practicable;
- Pay attention to the weather broadcasts and stay highly alert to work safety, which may still be prone to the impact of thunderstorms, rainstorms and tropical cyclones after the cancellation or lowering of warning signals or "extreme conditions" ended;
- When the adverse weather or "extreme conditions" is over, lifting appliances, scaffolds, suspended working platforms, electrical installations, and other plant should resume operation or be used only after thorough examination by a competent examiner / competent person and certified to be in safe working order.

Employees' obligations

- Employees should cooperate with their employers and relevant personnel, and follow the safety rules, instructions and work procedures;
- Designated staff who are required to report for duty at workplaces in times of adverse weather and "extreme conditions" should plan in advance the routing and transportation commuting to and from their workplaces, and consult their supervisors in case of difficulties:
- If employees spot any dangers in the workplaces or have genuine difficulties in reporting for duty, they should inform their employers for appropriate arrangements. In any case, personal safety and safety of other employees should be the prime consideration.

Enquiries

Employers and employees who wish to know more about occupational safety and health regarding working in inclement weather may refer to the "Guide on

Safety at Work in times of Inclement Weather" published by the Occupational Safety and Health Branch of the Labour Department and the Occupational Safety and Health Council. Please scan the QR code on this page or visit the Labour Department's website: www.labour.gov.hk.



Chapter 2

Statutory provisions and obligations



Employment Ordinance

Annual leave, statutory holidays and rest days

- An employer cannot reduce employees' entitlements to annual leave, statutory holidays or rest days under the Employment Ordinance as compensation for the loss of working hours resulting from the issuance of T8 or higher, the Black Rainstorm Warning Signal, other adverse weather warnings or the "extreme conditions" announcement;
- There are clear provisions in the Employment Ordinance on granting of annual leave, statutory holidays or rest days by employers. Employers must abide by the relevant provisions on granting the above leave and holidays;
- It is unlawful for an employer to fail, without reasonable excuse, to comply with the relevant provisions.

Situations in which employees cannot report for duty or arrive at work on time

- If an employee fails to report for duty or arrive at work on time due to adverse weather conditions or after "extreme conditions" ended, the employer should enquire into the reasons, give due consideration to the exceptional circumstances in each case and should not penalise or dismiss the concerned employee rashly;
- Summary dismissal is a serious disciplinary action. It normally applies to cases where an employee has committed very serious misconduct or has failed to improve himself after the employer's repeated warnings.

Enquiries

Employers and employees who wish to know more about the provisions of the Employment Ordinance may refer to "A Concise Guide to the Employment Ordinance" published by the Labour Department. Please scan the QR code on this page or visit the Labour Department's website: www.labour.gov.hk.



The Occupational Safety and Health Ordinance and the Factories and Industrial Undertakings Ordinance

Employers' obligations

- Under the Occupational Safety and Health Ordinance and the Factories and Industrial Undertakings Ordinance, employers / proprietors have an obligation to ensure the safety and health at work of all their employees, including the provision and maintenance of a working environment for employees that is, so far as reasonably practicable, safe and without risks to health;
- Employers should, wherever possible, avoid assigning workers to work in times of adverse weather or "extreme conditions". Where employers require their employees to work under such weather or conditions, they should assess the associated risks before work to ensure that the risks at work have been reduced as far as reasonably practicable;
- Their obligations include the provision and maintenance of a plant and system of work that is, so far as reasonably practicable, safe and without risks to health. For example, employees should be instructed to keep themselves away from potentially dangerous places as far as possible and be provided with suitable personal protective equipment such as safety helmets with chin straps, raincoats and waterproof safety boots, etc.;
- Employees at the workplaces where there is a risk of persons falling from height should first be provided with suitable safety facilities such as proper working platforms or, if this is not practicable, suitable fall arresting systems like safety nets, safety belts and independent lifeline or other secure points for anchoring the safety belts.

Employees' obligations

- For the sake of oneself and others, employees should cooperate with their employers and relevant personnel, follow the safety rules, instructions and work procedures;
- Employees who are required to report for duty at workplaces in times of adverse weather and "extreme conditions" should plan in advance the routing and transportation commuting to and from their workplaces, and consult their supervisors if they have difficulties. In any case, prime consideration should be given to personal safety and safety of other employees.

Enquiries

Employers and employees who wish to know more about the provisions of the Occupational Safety and Health Ordinance may refer to "A Brief Guide to the Occupational Safety and Health Ordinance" published by the

Occupational Safety and Health Branch of the Labour Department. Please scan the QR code on this page or visit the Labour Department's website: www.labour.gov.hk. Besides, please visit the Labour Department's website for more information about the Factories and Industrial Undertakings Ordinance.



The Employees' Compensation Ordinance

According to the Employees' Compensation Ordinance, if an employee sustains an injury or dies as a result of an accident arising out of and in the course of his employment, his employer is in general liable to pay compensation under this Ordinance even if the employees might have committed acts of faults or negligence when the accident occurred.

An accident to an employee resulting in injury or death is deemed to arise out of and in the course of employment if it happens to the employee when he is travelling from his place of residence to his place of work by a direct route within a period of four hours before the time of commencement of his working hours for that day, or from his place of work to his place of residence within a period of four hours after the time of cessation of his working hours for that day, when T8 or higher, a Red or Black Rainstorm Warning Signal or "extreme conditions" is in force. Under these circumstances, the employer is liable to pay compensation under the Employees' Compensation Ordinance.

Take an employee whose working hours ended at 5:30 p.m. as an example. He met with an accident and sustained bodily injury at 7:00 p.m. when he was travelling back home from his workplace. T8 was in force at the time of the accident. Under the circumstances, the employer will be liable to pay compensation under the Employees' Compensation Ordinance.

Enquiries

Employers and employees who wish to know more about the provisions of the Employees' Compensation Ordinance may refer to "A Concise Guide to the Employees' Compensation Ordinance" published by the Employees' Compensation Division of the Labour Department. Please scan the QR code of this page or visit the Labour Department's website: www.labour.gov.hk.



Chapter 2

Reference Guidelines:
Work arrangements in times of adverse weather and "extreme conditions"

General points to note

- In drawing up in advance the arrangement on work / resumption of work / remote work (if appropriate) in times of or after adverse weather and "extreme conditions", employers and employees can make reference to the three major principles and framework stated in Chapter 2 to Chapter 4 and the reference guidelines in this Chapter and Chapter 6, taking into account the operational requirements of individual establishments as well as the needs of their employees. To avoid unnecessary misunderstanding and confusion, employers and employees can also make reference to their experience in drawing up the work arrangements and contingency measures in times of adverse weather and "extreme conditions";
- Employers should cover the relevant work arrangements in employee handbooks, notices posted in the workplace or by regular circulation among the staff. Employers should also work out the list of employees who are required to report for duty at workplaces under adverse weather and "extreme conditions" ("designated staff") based on the operational and manpower needs of the individual establishments. Employers should take effective measures to ensure that all employees are aware of and have agreed to such arrangements, so as to avoid unnecessary disputes and confusion;
- When implementing the relevant work arrangements, supervisors should give prime consideration to the safety of the workplaces, and the actual situations of employees commuting to and from work and resuming work (such as weather conditions, road and traffic conditions and special needs of individual employees, etc.). Supervisors should be sympathetic to the difficulties faced by individual employees, flexible in implementing the work arrangements and give prime consideration to the safety of employees at all times;
- If non-designated staff are temporarily required to report for duty at workplaces under adverse weather and "extreme conditions" due to operational requirements, their work arrangements (including reporting for duty, release from work, wages and allowances, etc.) should be in line with those for designated staff;

- Employers should take into account the employees' workplace locations and areas of residence to work out in advance and prioritise the arrangements for releasing from workplaces or from work when Pre-No. 8 Special Announcement or T8 is issued. Employers should also inform the employees concerned, and regularly review the arrangements;
- Employers should take into account the employees' workplace locations and areas of residence to work out in advance with their employees the arrangement for resumption of work after the cancellation of T8 or Black Rainstorm Warning Signal or after "extreme conditions" ended, a reasonable time for resuming work, and consider allowing employees to resume work in stages or arrange remote work (if applicable);
- employers should review with employees the work arrangements in times of adverse weather and "extreme conditions". Employers should regularly communicate with employees and suitably adopt their views on the work arrangements for adverse weather conditions, make appropriate updates or adjustments based on the experience of each occasion, their mutual needs and practical situations. Employers should also ensure compliance with statutory obligations and relevant 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.

Work arrangements for designated staff

Arrangements regarding report for duty and transportation

- Employers should conduct timely and realistic assessment of whether there is any need for requiring designated staff to report for duty at workplaces when T8 or higher, the Black Rainstorm Warning Signal or "extreme conditions" being in force and if needed, specifying in advance employees who are designated staff and making early arrangement on transportation and calculation of wages and allowances;
- In assessing the need for designated staff, employers should take into account the safety of employees, including the feasibility for employees to travel to and from their workplaces or remote work (e.g. work from home) under adverse weather and "extreme conditions". Employers should keep the number of staff required to report for duty at workplaces under adverse weather or "extreme conditions" to the minimum as far as possible, taking into account their business nature, operational needs and urgency of service, and with due regard to the manpower requirements, staffing establishment and individual needs of employees. The employees concerned should be notified in advance of the working arrangements;

Chapter 1

Chapter 2

- When drawing up work arrangements with designated staff, employers should consider working at workplaces under adverse weather and "extreme conditions" as a special working condition, give due consideration to the prevailing situations faced by individual staff and adopt a flexible approach;
- Regarding the duty arrangements, contingency measures, transportation, safety, meal and rest place arrangements, etc. for designated staff under the abovementioned adverse weather warnings and "extreme conditions", employers and employees should take note of the following:
 - Designated staff should report for duty at workplaces, continue their work at workplaces and be released from work in accordance with the prior work arrangements agreed with employers. In case of difficulties in reporting for duty, they should notify employers as soon as possible;
 - Designated staff should be provided with the telephone numbers of their supervisors for contact in case they have difficulties in reporting for duty;
 - Shuttle transport services should be arranged for designated staff who are required to travel to and from their workplaces. Supervisors should work out a schedule specifying the pick-up time and place and service frequency for designated staff to take the shuttle transport;
 - Supervisors should ensure that designated staff are aware of the arrangements and are provided with the telephone number of the responsible person of the shuttle transport services;
 - Staff who are in doubt or have difficulties in taking the shuttle transport should contact the responsible person of the shuttle transport services;
 - ◆ If shuttle transport services are not available, designated staff may make use of appropriate public transport services. When appropriate public transport services are not available, employers should allow their employees to take taxi and pay for the expenses;
 - Employers should give prime consideration to the safety of designated staff at workplaces and advise them to take shelter in a safe place if their workplaces are endangered by adverse weather and "extreme conditions";
 - Designated staff at workplaces may not be able to go out for meal under adverse weather and "extreme conditions". Employers should provide food and drinking water at the workplaces for employees as necessary;
 - If it is unsafe for designated staff to leave after their normal working hours due to weather conditions, suspension of public transport services and other special circumstances, employers should arrange a suitable and safe area at workplaces for employees to take shelter.

Duty allowance

 Employers should grant an extra Duty Allowance to designated staff who are required to be on duty at workplaces when T8 or higher or "extreme conditions" is in force;

Example: In addition to normal wages, designated staff who are required to be on duty at workplaces when T8 or higher or "extreme conditions" is in force are eligible for a duty allowance of HK\$_____ or _____% of normal wages for each hour worked.

- Likewise, employers should grant an extra duty allowance to employees who are required to work at workplaces when rainstorm warning is in force;
- In case staff on the next shift are unable to report for duty at workplaces due to genuine difficulties, employers may request employees of the preceding shift to continue to work due to operational requirements. Employers should seek the consent of the employees, ensure their physical fitness and arrange adequate rest breaks. Employers should grant the employees who agree to continue to assist an allowance more favourable than their normal wages for the extended service;

Example: For those staff who extend their working hours, in addition to normal wages, they are eligible for a special allowance of HK\$_____ or _____% of normal wages for each hour of their extended service.

Travelling allowance

If no transport services are provided by the employer, the employer should grant an extra travelling allowance to employees who are required to report for duty when T8 or higher or "extreme conditions" is in force;

Example: HK\$_____ per trip or the actual cost of transport, whichever is higher.

Likewise, employers should grant an extra travelling allowance to employees who are required to travel to and from their workplaces when rainstorm warning is in force.

(Remark: When T8 or higher or "extreme conditions" is in force, leading to suspension of shuttle transport services provided by employers and public transport services, employers should give prime consideration to the safety of employees and should not request them to return to workplaces immediately.)

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3 Arrangements for resumption of work

- Employers should draw up with employees in advance reasonable arrangements on work resumption or remote work (if applicable) for the situation when T8 or Black Rainstorm Warning Signal is cancelled or "extreme conditions" ended and safety and traffic conditions allow.
- When T8 or Black Rainstorm Warning Signal is cancelled or "extreme conditions" ended, work resumption of employees may be hindered by the massive congestion of commuters and the aftermath of adverse weather (e.g. road blockage, public transport services being affected, flooding or landslip, etc.). Employers should adopt a flexible approach in the arrangements of work resumption. Even though prior agreements on work resumption are in place, employers should be considerate, sympathetic and flexible with due regard to the situations of individual employees. For example, employers may allow employees to resume work in stages, permit remote work (if applicable) for employees who have difficulties in returning to workplaces or allow more time for them to report for duty and resume work.
- Employers and employees can make reference to the following illustration in drawing up and handling flexibly work resumption arrangements after tropical cyclones and rainstorms. When drawing up work arrangements, employers and employees should make suitable adjustments to work out appropriate and flexible work arrangements with due regard to the operational requirements as well as the particular nature of the establishment and the job, etc. In addition, employers should further consider the actual situations of individual employees and be flexible in implementing the relevant arrangements.

Illustration: Black Rainstorm Warning Signal or T8 or higher Tropical Cyclone Warning Signal has been issued or "extreme conditions" has been announced

Employees should return to work within 2 hours as far as possible if the above signals are cancelled or the specified time in the "extreme conditions" announcement ended 3 hours or more before the end of working hours.

Arrangements regarding work safety at workplaces

- Employers should ensure employees' safety at work and develop a safe system of work and without risks to health for employees, including provision of adequate safety facilities and equipment (such as safety helmets with chin straps, raincoats and waterproof safety boots, etc.) to employees who are required to work under adverse weather and "extreme conditions";
- If the workplaces are damaged by adverse weather posing potential safety risks (such as broken windows or exterior walls, etc.), employers should immediately carry out safety inspections, prepare and adopt appropriate safety measures to accord top priority to employees' safety at all times before arranging them to resume work.

6 Wage calculation and arrangements

- Employers should set out clearly the conditions under which employees' wages will be payable (e.g. specify the details on how wages and allowances will be calculated when T8 or higher or "extreme conditions" is in force at working hours);
- Wages, allowances and good attendance bonus of employees should not be affected if employees are released from work or not required to report for duty in accordance with the work arrangements;
- In cases where employees fail to report for duty under adverse weather and "extreme conditions" or cannot resume work on time in accordance with the work arrangements after T8, the Black Rainstorm Warning Signal or other adverse weather warning is cancelled or when "extreme conditions" ended, supervisors should enquire into the reasons. If employees can provide reasonable explanations, employers should not deduct their wages;
- If employees cannot provide reasonable explanations for failing to report for duty, their wages may be affected and the amount should be in proportion to the period they have not reported for work;
- In cases where employees fail to report for work in accordance with the work arrangements, the period they have not reported for duty should be counted from the time when the employees are reasonably expected to arrive at the workplaces.

6 Work arrangements in times of rainstorm, tropical cyclone warning signals and "extreme conditions" (Reference Guidelines)

	Amber or Red Rainstorm Warning Signal / Standby Signal No. 1 (T1) / Strong Wind Signal No. 3 (T3)	Black Rainstorm Warning Signal
(a) Issued / in force before working hours	 Employees should report for duty as usual. Employees should notify their supervisors as soon as possible if they have genuine difficulties in reporting for duty (such as road blockage, public transport services being affected, flooding or landslip). Employers may exercise discretion to consider whether employees who have needs (such as pregnancy, disability or other needs) should report for duty at workplaces⁹. 	General Employees ◆ The employer should not require staff to report for duty at workplaces ⁹ .

T8 or higher	"Extreme conditions"	
General Employees ◆ Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal) ⁹ .	 ◆ To stay in the place they are currently in during the specified period of the announcement, instead of heading to report for duty at workplaces immediately. ◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher)⁹. 	

⁹ Employers and employees should make prior agreement whether other work arrangements such as remote work (if applicable) and supporting measures are in place during working hours for employees who are unable to or need not report for duty at workplaces due to adverse weather or "extreme conditions".

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4		
	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorm Warning Signal
(a) Issued / in force before working hours (Cont.)		Designated Staff ◆ Designated staff should report for duty at workplaces or continue their work at workplaces in a safe manner in accordance with the work arrangements.
		◆ They should notify their supervisors as soon as possible if they have genuine difficulties in reporting for duty at workplaces (such as road blockage, flooding, landslip or public transport services or shuttle transport services arranged by employers being affected).
		◆ If shuttle transport services arranged by employers and other public transport services are not available, employers should give prime consideration to the safety of employees and should not request them to return to workplaces immediately.
		◆ Employers should develop a safe system of work of eliminating hazards and minimising risks to health for employees, including provision of relevant safety equipment and personal protective equipment (such as safety helmets with chin straps etc.) to employees who are still required to work.
		◆ Employees who are still required to work and designated employees should make use of the safety equipment and personal protective equipment provided by employers and pay special attention to the safety of the working environment.

T8 or higher	"Extreme conditions"	
Designated Staff ◆ Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).	Designated Staff ◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).	

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(b)

Amber or Red Rainstorm Black Rainstorm Warning Signal Warning Signal / T1 / T3 **General Employees General Employees** Issued / in Employees working indoors Employees working indoors should force during should continue to work continue to work as usual unless it working as usual. Employees is dangerous to do so. Employees hours (e.g. those who are required (including those working on shift or who are required to to work outside offices) should work outside offices) should notify their supervisors as soon notify their supervisors as as possible if they have genuine difficulties (such as road blockage, soon as possible if they have genuine difficulties in public transport services being travelling to and from their affected, flooding or landslip). workplaces (such as road Employers may exercise discretion blockage, public transport to consider whether employees who services being affected, have needs (such as pregnancy, flooding or landslip). disability or other needs) should be Employers may exercise released from workplaces or from discretion to consider work earlier in a safe manner¹⁰. whether employees who have needs (such as pregnancy, disability or other needs) should be released from workplaces or from work earlier¹⁰.

T8 or higher	"Extreme conditions"
 ◆ Upon the issuance of the Pre-No. 8 Special Announcement or T8, employees should be released from workplaces or from work in stages in accordance with prior arrangements¹0. ◆ Employees who may have greater hardships in travelling (including employees who are pregnant, with disability, reliant on ferry services to get home or living in remote areas) should be given priority to be released from workplaces or from work. ◆ Other employees should be released from workplaces or from work later in stages according to their travelling distance or the time required to get home. ◆ In implementing the arrangements and contingency measures, supervisors should take account of the actual situations (such as traffic conditions and special needs of individual employees) and adopt a flexible approach. ◆ If in need, employees can choose to stay in the company. A suitable area in the workplaces should be made available by employers as temporary shelter. 	 ◆ To stay in the place they are currently in or in a safe place during the specified period of the announcement. ◆ Employees who are already on duty at workplaces can continue to work as usual in a safe manner. Employees (e.g. those who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties (such as road blockage, public transport services being affected, flooding or landslip). ◆ If the workplaces are in danger, employers should release staff from the workplaces or from work earlier in a safe manner if feasible or make available a safe place as their temporary shelter. ◆ Employers may exercise discretion to consider whether employees who have needs (such as pregnancy, disability or other needs) should be released from workplaces or from work earlier in a safe manner¹⁰.

¹⁰ Employers and employees should make prior agreement whether other work arrangements such as remote work (if applicable) and supporting measures are in place during working hours for employees who are released from workplaces earlier due to adverse weather or "extreme conditions".

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		1
	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorm Warning Signal
(b) Issued / in force during working hours (Cont.)		Designated Staff ◆ Designated staff should continue their work at workplaces in a safe manner in accordance with the work arrangements. If there are other prior arrangements, they may continue their work in case staff on the next shift are unable to report for duty at workplaces due to genuine difficulties. Employers should provide employees with food and drinking water at the workplaces as necessary.
		◆ Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, public transport services being affected, flooding or landslip).
		◆ If the workplaces are in danger, employers should release staff from the workplaces or from work earlier in a safe manner if feasible or make available a safe place as their temporary shelter.
		◆ Employers and employees should adopt the work safety measures stated in 6(a) above.

T8 or higher	"Extreme conditions"
Designated Staff ◆ Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).	Designated Staff ◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

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Amber or Red Rainstorm Warning Signal / T1 / T3

Black Rainstorm Warning Signal

(c)

Issued / in force before the commencement of working hours and is cancelled / ended within working hours

General Employees

- Employees working indoors should continue to work as usual. Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, public transport services being affected, flooding or landslip).
- When the warning / signal is in force, employers may exercise discretion to consider whether employees who have needs (such as pregnancy, disability or other needs) should report for duty at workplaces¹¹.

General Employees

- When the warning is in force, employers should not require employees to report for duty at workplaces¹¹.
- If the warning is cancelled within working hours and when safety and traffic conditions allow, employees should follow the prior arrangements and time frame they have previously agreed with their employers and resume work as appropriate.
- In implementing the arrangements and contingency measures, supervisors should take account of the actual situations such as traffic conditions and needs of employees (including employees who are pregnant, with disability, those who rely on ferry services to return to the workplaces or live in remote areas), and adopt a flexible approach. Supervisors should regularly review the arrangements with employees.
- Employees should notify their supervisors as soon as possible if they have genuine difficulties in resuming work at workplaces (such as road blockage, public transport services being affected, flooding or landslip). If there is potential safety risk in the workplaces, employers should notify employees not to return to workplaces for the time being and should arrange employees to resume work at workplaces only if safety conditions allow.

T8 or higher

"Extreme conditions"

General Employees

 Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal)¹¹.

General Employees

◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher)¹¹.

¹¹ Employers and employees should make prior agreement whether other work arrangements such as remote work (if applicable) and supporting measures are in place during working hours for employees who are unable to or need not report for duty at workplaces due to adverse weather or "extreme conditions".

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	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorm Warning Signal
(c) Issued / in force before the commencement of working hours and is cancelled / ended within working hours (Cont.)		 Designated Staff ◆ Designated staff should continue their work at workplaces in a safe manner in accordance with the work arrangements. If there are other prior arrangements, they may continue their work in case staff on the next shift are unable to report for duty at workplaces due to genuine difficulties. Employers should provide them with food and drinking water at the workplaces as necessary. ◆ Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, flooding, landslip, public transport services or shuttle transport services arranged by employers being affected). ◆ If the workplaces are in danger, employers should release staff from the workplaces or from work earlier in a safe manner if feasible or make available a safe place as temporary shelter for employees. ◆ If shuttle transport services arranged by employers and other public transport services are not available, employers should give prime consideration to the safety of employees and should not request them to return to workplaces immediately. ◆ Employers and employees should adopt the work safety measures stated in 6(a) above.

T8 or higher	"Extreme conditions"
Designated Staff ◆ Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).	Designated Staff ◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

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Amber or Red Rainstorm Black Rainstorm Warning Signal / T1 / T3 **Warning Signal** (d) **General Employees General Employees** Still in force ◆ Employees should stay in a safe ◆ Employees should be by the end released as usual after the place until the heavy rain has of working end of working hours. passed. hours ◆ A suitable area in the ◆ A suitable area in the workplaces workplaces should be made should be made available by available by employers employers as temporary shelter for as temporary shelter for employees. employees who have ♦ If safety conditions allow, based on difficulties in leaving the the needs of individual employees, workplaces if required. employers can release them after their working hours. **Designated Staff** ◆ Designated staff should be released in a safe manner in accordance with the work arrangements. If there are other prior arrangements, they may continue their work at workplaces in case staff on the next shift are unable to report for duty due to genuine difficulties. Employers should provide them with food and drinking water at the workplaces as necessary. ◆ A suitable area in the workplaces should be made available by employers as temporary shelter for designated staff during or after working hours if required. Employers and employees should adopt the work safety measures

T8 or higher	"Extreme Conditions"
General Employees ◆ Employers should not require employees to report for duty at workplaces.	 General Employees Employers should not require employees to report for duty at workplaces. If safety conditions allow, based on the needs of individual employees, employers can release them after working hours or make available a suitable area as temporary shelter for those still at workplaces.
Designated Staff ◆ Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).	Designated Staff ◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

stated in 6(a) above.

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Reference Guidelines: Work arrangements for working outdoors

and in exposed areas in times of adverse weather and "extreme conditions"

(e.g. construction workers, shipboard cargo handling workers and outdoor cleaning workers)

- 1 General points to note / Work arrangements for designated staff / Arrangements regarding resumption of work / Wage calculation and arrangements
- Please see Chapter 5

2 Arrangements regarding work safety

- Employers should ensure employees' safety at work and develop a safe system of work and without risks to health for employees, including provision of adequate safety facilities and equipment (such as safety helmets with chin straps, raincoats and waterproof safety boots, etc.) to employees who are required to work at workplaces under adverse weather conditions to ensure their safety. In addition, employers and employees should adopt appropriate contingency measures. For example:
 - Engineering staff on construction sites should ensure that all scaffoldings, hoardings, etc. are secured and taut and all canvas removed;
 - Workers engaging in lifting or transport operations should avoid operating cranes such as tower cranes, etc. in strong wind and should place the jibs in an appropriate and safe position according to the manufacturer's manual;
 - Workers engaging in external wall maintenance and cleaning buildings should discontinue their work, lower the suspended working platforms to the ground and secure them.

- If the workplaces are damaged by adverse weather posing potential safety risks (such as broken windows or exterior walls, etc.), employers should immediately carry out safety measures, prepare and adopt appropriate safety measures to accord top priority to employees' safety at all times before arranging them to resume work;
- Supervisors should, when work resumes, ask competent persons to carry out the requisite safety inspections to outdoor installations, such as scaffoldings, temporary supports, cranes, suspended working platforms, power supply plant, etc. before they are put into use;
- Employers should provide a suitable area as temporary shelter for employees in case it is unsafe to leave the workplaces because of the weather;
- Employers should review the adverse weather work safety guidelines with employees regularly.

3 Transportation arrangement for remote workplaces

Employers who provide their employees with shuttle transport services to and from remote workplaces, including outlying islands, should specify clearly with their employees the frequency of services, time and place of the pick-up vehicles and boats, etc.

4 Work arrangements for working outdoors and in exposed areas in times of rainstorm, tropical cyclone warnings and "extreme conditions" (Reference Guidelines)

	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorm Warning Signal
(a)	General Employees	General Employees
Issued before working hours	 Employees should report for duty as usual. Employees should notify their supervisors as soon as possible if they have genuine difficulties in reporting for duty at workplaces (such as road blockage, public transport services being affected, flooding or landslip). Employers may exercise discretion to consider whether employees who have needs (such as pregnancy, disability or other needs) should report for duty at workplaces. 	Employers should not require employees to report for duty at workplaces.
	Employers should provide employees with safety equipment and personal protective equipment, such as safety helmets with chin straps. Employees should make use of the safety equipment and personal protective equipment provided by their employers and pay special attention to the safety of the working environment.	

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T8 or higher	"Extreme Conditions"
Designated Staff	Designated Staff
 Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal). 	 Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

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Amber or Red Rainstorm Black Rainstorm Warning Signal / T1 / T3 **Warning Signal General Employees General Employees** (b) Issued Supervisors should promptly Supervisors of employees working during arrange employees whose outdoors and in exposed areas working safety is affected to suspend should arrange them to stop work hours their outdoor work, take and take shelter immediately. temporary shelter in a safe Employees (e.g. those who are place and resume duty required to work outside offices) when weather conditions so should notify their supervisors permit. as soon as possible if they have For example: genuine difficulties (such as road blockage, public transport services When Amber or Red being affected, flooding or landslip). **Rainstorm Warning Signal** ◆ Employers and employees should is in force: adopt the work safety measures ► Suspend the operation stated in 4(a). of suspended working platforms and slope works. Suspend the operation of shipboard lifting appliances and cargo handling. When T1 or T3 is in force: ► Stop the operation of cranes, suspended working platforms, etc.

T8 or higher	"Extreme Conditions"
General Employees	General Employees
Upon the issuance of the Pre-No. 8 Special Announcement or T8, employees should be released from workplaces or from work in stages in accordance with prior arrangements.	To stay in the place they are currently in or in a safe place during the specified period of the announcement, instead of heading for work at workplaces immediately.
 Employees who may have greater hardships in travelling (including employees who are pregnant, with disability, reliant on ferry services to get 	 Supervisors of employees working outdoors and in exposed areas should arrange them to stop work and take shelter immediately.
home or living in remote areas) should be given priority to be released from workplaces or from work.	 If the workplaces are in danger, employers should release staff from the workplaces or from work earlier in a
Other employees should be released from workplaces or from work later in stages according to their travelling distance or the time required to get home.	safe manner if feasible.
◆ In implementing the arrangements and contingency measures, supervisors should take account of the actual situations (such as traffic conditions and special needs of individual employees) and adopt a flexible approach.	
If in need, employees can choose to stay in the company. A suitable area in the workplaces should be made available by employers as temporary shelter.	
 Employers and employees should adopt the work safety measures stated in 4(a). 	

When T3 is issued,

take them ashore.

shipboard cargo handling employees should stop work and their employers

should arrange boats to

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	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorn Warning Signal
b) ssued luring vorking nours Cont.)	 ▶ Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, public transport services being affected, flooding or landslip). ♦ Employers may exercise discretion to consider whether employees who have needs (such as pregnancy, disability or other needs) should be released from workplaces or from work earlier. ♦ Employers and employees should adopt the work safety measures stated in 4(a). 	

T8 or higher	"Extreme Conditions"

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4	4	1
	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorm Warning Signal
(b) Issued during working hours (Cont.)		 Designated Staff Designated staff should continue their work at workplaces in a safe manner in accordance with the work arrangements. If there are other prior arrangements, designated staff may continue their work in case staff on the next shift are unable to report for duty due to genuine difficulties. ► Employers and employees should adopt the work safety measures stated in 4(a).

T8 or higher	"Extreme Conditions"
Designated Staff	Designated Staff
 Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal). 	 Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).
	◆ Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, flooding, landslip, public transport services or shuttle transport services arranged by employers being affected).
	◆ If shuttle transport services arranged by employers and other public transport services are not available, employers should give prime consideration to the safety of employees and should not request them to return to workplaces immediately.

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Amber or Red Rainstorm Warning Signal / T1 / T3

Black Rainstorm Warning Signal

T8 or higher "Extreme Conditions"

Issued / in force before the commencement of working hours and is cancelled / ended within working hours

General Employees

- Employees should continue to work as usual.
- ◆ Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, public transport services being affected, flooding or landslip).
- When the warning is in force, employers may exercise discretion to consider whether employees who have needs (such as pregnancy, disability or other needs) should be released from workplaces or from work earlier.
- Employees working outdoors in exposed areas who have taken shelter should resume duty as soon as possible after the warning is cancelled and weather conditions permit.
- Employers and employees should adopt the work safety measures stated in 4(a) and 4(b).

General Employees

- Employers should not require employees to report for duty at workplaces when the warning is in force.
- ◆ If the signal is cancelled within working hours and when safety and traffic conditions allow, employees should follow the prior arrangements and time frame they have previously agreed with their employers and resume work.
- ♦ In implementing the arrangements and contingency measures, supervisors should take account of the actual situations such as traffic conditions and need of employees (including employees who are pregnant, with disability, those who rely on ferry services to return to the workplaces or live in remote areas), and adopt a flexible approach. Supervisors should regularly review the arrangements with employees.
- Employees should notify their supervisors as soon as possible if they have genuine difficulties in resuming work at workplaces (such as road blockage, public transport services being affected, flooding or landslip).
- If there is potential safety risk in the workplaces, employers should notify employees not to return to workplaces for the time being and should arrange employees to resume work at workplaces only if safety conditions allow.
- Employers and employees should adopt the work safety measures stated in 4(a) and 4(b).

General Employees

 Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).

General Employees

 Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

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	Amber or Red Rainstorm Warning Signal / T1 / T3	Black Rainstorm Warning Signal
(c) Issued / in force before the commencement of working hours and is cancelled / ended within working hours (Cont.)		 Designated Staff Designated staff should continue their work at workplaces in a safe manner in accordance with the work arrangements. They should notify their supervisors as soon as possible if they have genuine difficulties in reporting for duty at workplaces (such as road blockage, flooding, landslip or public transport services or shuttle transport services arranged by employers being affected). If shuttle transport services arranged by employers and other public transport services are not available, employers should give prime consideration to the safety of employees and should not request them to return to workplaces immediately.
		 Employers and employees should adopt the work safety measures stated in 4(a) and 4(b).

T8 or higher	"Extreme Conditions"
Designated Staff	Designated Staff
Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).	 Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

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Amber or Red Rainstorm Black Rainstorm Warning Signal / T1 / T3 **Warning Signal General Employees General Employees** (d) Still in force ◆ Employees should be ◆ Employees should stay in a safe by the end released as usual after the place until the heavy rain has of working end of working hours. passed. hours ◆ A suitable area in the workplaces ◆ A suitable area in the workplaces should be made should be made available by available by employers employers as temporary shelter for as temporary shelter for employees. employees who have ◆ If safety conditions allow, based on difficulties in leaving the the needs of individual employees, workplaces if required. employers can release employees Employers and employees after their working hours. should adopt the work Employers and employees should safety measures stated in adopt the work safety measures 4(a) and 4(b). stated in 4(a) and 4(b). **Designated Staff** Designated staff should be released in a safe manner in accordance with the work arrangements. If there are other prior arrangements, they may continue their work in case staff on the next shift are unable to report for duty at workplaces due to genuine difficulties. ◆ A suitable area in the workplaces should be made available by employers as temporary shelter for designated staff during or after working hours if required. ◆ Employers and employees should

T8 or higher	"Extreme Conditions"
General Employees ◆ Employers should not require employees to report for duty at workplaces.	 General Employees ◆ Employers should not require employees to report for duty at workplaces. ◆ If safety conditions allow, based on the needs of employees, employers can release them after working hours or make available a suitable area as temporary shelter for those still at workplaces. ◆ Employers and employees should adopt the work safety measures stated in 4(a) and 4(b).
Designated Staff ◆ Relevant work arrangements are the same as those of the left column (Black Rainstorm Warning Signal).	Designated Staff ◆ Relevant work arrangements are the same as those of the left columns (Black Rainstorm Warning Signal or T8 or higher).

adopt the work safety measures

stated in 4(a) and 4(b).

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Chapter 4

5 Situations under Thunderstorm Warning, Landslip Warning, Special Announcement on Flooding in the Northern New Territories, Localised Heavy Rain Advisory and Strong Monsoon Signal

(a) The warning is issued before working hours:

- All employees should report for duty as usual.
- Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in reporting for duty at workplaces (such as road blockage, public transport services being affected, flooding or landslip).
- Employers should provide employees with safety equipment and personal protective equipment, such as safety helmets with chin straps. Employees should make use of the safety equipment and personal protective equipment provided by their employers and pay special attention to the safety of the working environment.
- If the safety of employees is endangered by adverse weather conditions, supervisors should arrange for them to stand by in a safe place.

(b) The warning is issued during working hours:

- Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, public transport services being affected, flooding or landslip).
- Supervisors should, having considered the actual situations, arrange employees to suspend their work, take temporary shelter in a safe place and resume duty when weather conditions so permit. For example:
- ◆ If the safety of employees is endangered by the condition of the sea, supervisors in charge of shipboard cargo handling should stop the cargo handling work on ships and arrange their staff to take temporary shelter in a safe place as soon as possible.
- When the Strong Monsoon Signal or Landslip Warning is issued, the operation of cranes, suspended working platforms, slope works, etc. should be suspended.
- In the case of Thunderstorm Warnings, and where employees are liable to lightning strikes, their supervisors should arrange the employees to stop work as far as practicable and take shelter in a safe place immediately.

(c) The warning is issued before the commencement of working hours and is cancelled within working hours:

- All employees should continue to work as usual.
- Employees (including those working on shift or who are required to work outside offices) should notify their supervisors as soon as possible if they have genuine difficulties in travelling to and from their workplaces (such as road blockage, public transport services being affected, flooding or landslip).
- Employers and employees should adopt the work safety measures stated in 5(a) and 5(b).

(d) The warning is still in force by the end of working hours:

- Employees should stay in a safe place until the heavy rain has passed.
- A suitable area in the workplaces should be made available by employers as temporary shelter for employees.
- If safety conditions allow, based on the needs of individual employees, employers can release employees after their working hours.
- Employers and employees should adopt the work safety measures stated in 5(a) and 5(b).

Appendix

Weather warnings relevant to this guideline









Signal No.	Meaning
1	A tropical cyclone is centred within about 800 kilometres (km) of Hong Kong and may affect the territory.
3	Strong wind is blowing or expected to blow generally in Hong Kong near sea level, with a sustained speed of 41- 62 kilometres per hour (km/h), and gusts which may exceed 110 km/h, and the wind condition is expected to persist.
8	Gale or storm force wind is blowing or expected to blow generally in Hong Kong near sea level, with a sustained wind speed of 63-117 km/h from the quarter indicated and gusts which may exceed 180 km/h, and the wind condition is expected to persist.
9	Gale or storm force wind is increasing or expected to increase significantly in strength.
10	Hurricane force wind is blowing or expected to blow with sustained speed reaching upwards from 118 km/h and gusts that may exceed 220 km/h.

- ★ When T1 is issued, the existence of the tropical cyclone should be taken into account in planning activities. Strong winds may occur over offshore waters.
- ★ When T3 is issued, secure all loose objects or take them indoors. Low-lying areas may have flooding or backflow of seawater owing to storm surge. Stay away from dangerous places. Winds are normally expected to become generally strong in Hong Kong within 12 hours after this signal is issued. Winds over offshore waters and on high ground may reach gale force.
- ★ When T8 is issued, all precautions should be completed before gales commence. Winds are normally expected to reach gale force generally in Hong Kong within 12 hours after T8 replaces T3. The Hong Kong Observatory will make a Pre-No. 8 Special Announcement when T8 is expected within two hours.
- ★ When T9 or T10 is issued, all precautions should be completed. Beware of change in wind directions. Stay indoors and away from exposed windows and doors to avoid flying debris.

Appendices

Appendix 1

Chapter 2

(b) Rainstorm Warning System

There are three levels of rainstorm warning: Amber, Red and Black.

Amber Rainstorm Warning Signal	Heavy rain has fallen or is expected to fall generally over Hong Kong, exceeding 30 millimetres in an hour, and is likely to continue. There will be flooding in some low-lying and poorly drained areas. Heavy rain may bring about flash floods. People should stay away from watercourses. Members of the public are advised to pay attention to weather changes as these might lead to situations of Red or Black Rainstorm Warning Signal.
Red Rainstorm Warning Signal	Heavy rain has fallen or is expected to fall generally over Hong Kong, exceeding 50 millimetres in an hour, and is likely to continue. Further heavy rain could cause, if not already caused, serious road flooding and traffic congestion. People who have to travel should carefully consider the weather and road conditions and take necessary precautions. Heavy rain will bring flash floods, and flooding is occurring or is expected to occur in watercourses. People should stay away from watercourses.
Black Rainstorm Warning Signal	Very heavy rain has fallen or is expected to fall generally over Hong Kong, exceeding 70 millimetres in an hour, and is likely to continue. Because of seriously flooded roads and inclement weather conditions, people are advised to take shelter in a safe place and stay there. Heavy Rain will bring flash floods, and flooding is occurring or is expected to occur in watercourses. People should stay away from watercourses.

- ★ The rainfall criteria for the issuance of rainstorm warning signals are for guidance only. When prolonged rain occurs, the signals may be issued even if these rainfall criteria are not reached for individual hours.
- ✓ In case heavy rain develops suddenly, a Red Rainstorm Warning Signal may be issued without a preceding Amber Rainstorm Warning Signal.
- Also, a Black Rainstorm Warning Signal may be issued without a preceding Red Rainstorm Warning Signal.

(c) Thunderstorm Warning

- ★ Thunderstorm Warnings are intended to give short-term (within one to a few hours) notice of the likelihood of thunderstorms affecting any part of Hong Kong. Thunderstorm Warnings are issued irrespective of whether thunderstorms are widespread or isolated.
- ★ When thunderstorms are widespread, it will be mentioned in the Thunderstorm Warning that thunderstorms will generally affect Hong Kong without specific reference to individual regions.
- ★ For isolated thunderstorms, the warning will indicate the regions that will be affected during the effective warning period.
- ✓ If thunderstorms are expected to persist or there are changes in their impact or coverage, the warning will be respectively extended or updated. Stay indoors when the warning is in force. Employees working outdoors should take shelter in a safe place where possible.
- ✓ Violent or intense gusts often occur with thunderstorms. People on small boats on the open sea should watch out for the approach of squalls or waterspouts.

(d) Landslip Warning

- ★ A Landslip Warning will be issued by the Hong Kong Observatory in consultation with the Geotechnical Engineering Office when there is a high risk of many landslips as a result of persistent heavy rainfall.
- ★ The warning is aimed at predicting the occurrence of numerous landslips, and isolated landslips which cannot be predicted will occur from time to time in response to less severe rainfall when the warning is not in force.
- ★ The warning is intended to alert engineers, contractors or others who are likely to suffer losses from landslips to take precautionary measures.

(e) Special Announcement on Flooding in the Northern New Territories

- ✓ A Special Announcement on Flooding in the Northern New Territories will be issued by the Hong Kong Observatory whenever heavy rain affects the area and flooding is expected to occur or is occurring in the low-lying plains of the northern New Territories.
- ★ The Announcement draws attention to potential flooding in the northern New Territories due to heavy rain. It is intended to prompt the public to take precautionary measures against flooding. Heavy rain may bring about flash floods. People should stay away from watercourses.
- ★ The warning is also intended to alert engineers, contractors and others who are likely to suffer losses from flooding.

(f) Localised Heavy Rain Advisory

- ★ The development and movement of heavy rain that affects Hong Kong can be vastly different. Sometimes the heavy rain may be widespread, while on other occasions it may be localised and cause serious flooding only in certain districts but not others.
- ★ The issuance of the Localised Heavy Rain Advisory is based on the recorded and forecast regional rainfall amount. If heavy rain at that time does not extend generally over Hong Kong and reach the criteria for a Red or Black Rainstorm Warning Signal, the Hong Kong Observatory will issue the Localised Heavy Rain Advisory, indicating the affected districts and the respective recorded or expected rainfall, to alert the public of potential flooding due to heavy rain in the districts, so as to take precautionary measures.
- When localised heavy rain persists or there are or will be changes in the affected districts, the Observatory will update the advisory appropriately.
- ✓ If heavy rain is forecast to extend to affect widespread areas and reach the criteria of Red or Black Rainstorm Warning Signal, the Hong Kong Observatory will issue the corresponding warning signal. The advisory also reminds relevant government departments to take appropriate responsive actions, such as emergency measures to alleviate the impact of flooding in concerned districts.
- ★ Members of the public can get the latest situation of heavy rain via radio, television and from the Hong Kong Observatory. Those in the districts affected by heavy rain should take appropriate measures to prevent possible loss caused by flooding.
- ✓ People should also be cautious when travelling to the concerned districts.

(g) Strong Monsoon Signal

- ★ The Strong Monsoon Signal is issued when winds associated with the summer or winter monsoon are blowing in excess of or are expected to exceed 40 kilometres per hour near sea level anywhere in Hong Kong.
- ★ In very exposed places, monsoon winds may exceed 70 kilometres per hour.
- ★ Local topography or the presence of buildings nearby sometimes modifies the airflow substantially, making it exceptionally gusty in very localised areas. Engineers, architects and contractors should ensure that all scaffoldings, hoardings and temporary structures are secured.
- Operations at sea should take special care against high winds and rough sea conditions. Rough seas and swells may affect the coast.

Enquiries

If employers and employees wish to have more information on weather warnings, please visit the website of the Hong Kong Observatory: www.weather.gov.hk.



2 Enquiries

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This Code of Practice has also been uploaded to the Labour Department's website:

https://www.labour.gov.hk/eng/public/wcp/Rainstorm.pdf



Enquiry Hotline:

2717 1771 (the hotline is handled by "1823")

Website:

www.labour.gov.hk



Enquiry in person to Offices of the Labour Relations Division:



Hong Kong	
Hong Kong East	12/F, 14 Taikoo Wan Road, Taikoo Shing, Hong Kong
Hong Kong West	3/F, Western Magistracy Building, 2A Pok Fu Lam Road, Hong Kong
Kowloon	
Kowloon East	UGF, Trade and Industry Tower, 3 Concorde Road, Kowloon
Kowloon West	Room 1009, 10/F, Cheung Sha Wan Government Offices, Sham Shui Po, Kowloon
Kowloon South	2/F, Mongkok Government Offices, 30 Luen Wan Street, Mong Kok, Kowloon.
Kwun Tong	Units 801-806, 8/F, Tower 1, Millennium City 1, 388 Kwun Tong Road, Kwun Tong, Kowloon
New Territories	
Tsuen Wan	5/F, Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, New Territories
Kwai Chung	6/F, Kwai Hing Government Offices, 166 - 174 Hing Fong Road, Kwai Chung, New Territories
Tuen Mun	Unit 2, East Wing, 22/F, Tuen Mun Central Square, 22 Hoi Wing Road, Tuen Mun, New Territories
Sha Tin & Tai Po	Rooms 304-313, 3/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories

This list was finalised in April 2024 and the addresses of the relevant offices are subject to changes. For latest details, please visit the Labour Department's website: www.labour.gov.hk or call the 24-hour hotline at 2717 1771.

