

Checklist on General Duties of Persons Employed

The checklist given below may be useful to persons employed in assessing their compliance with the General Duties Provision. However, it should be pointed out that the checklist is by no means exhaustive and cannot cover every situation. It should not be regarded as an interpretation of the legal requirements.



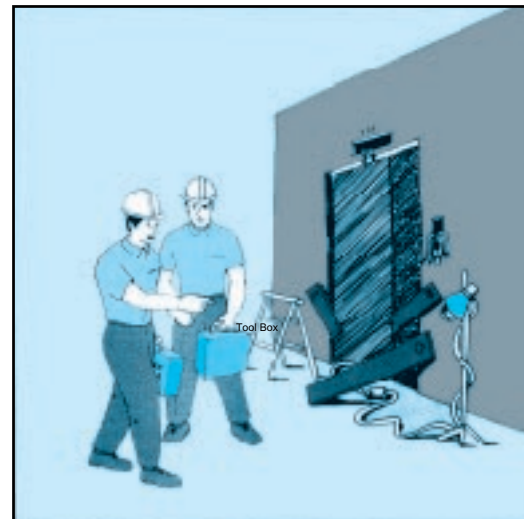
- Do you know the safety policy and safety organization of your company?
- Have you participated in in-plant safety promotional activities?



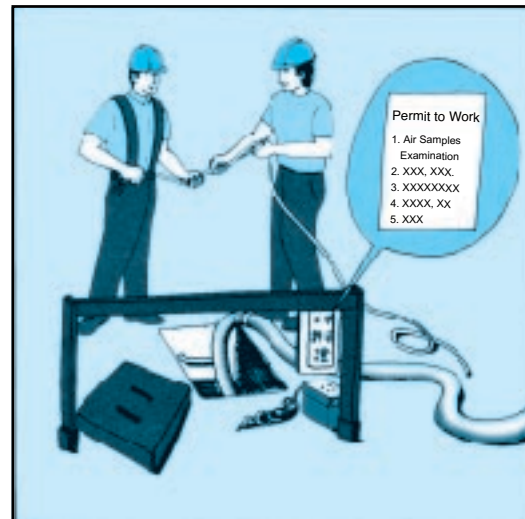
- Have you co-operated with your employer or other persons in observing the requirements of the safety and health legislation?



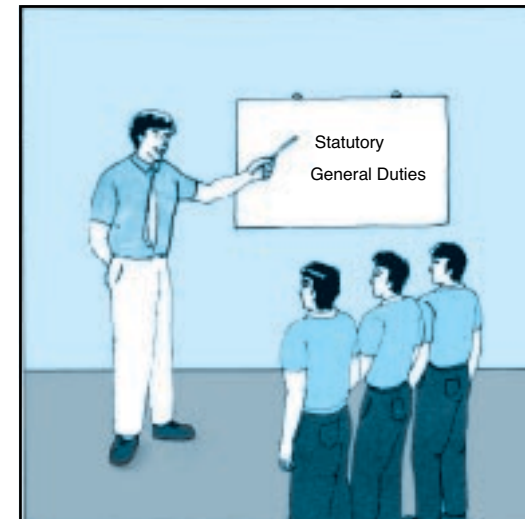
- Have you acted as a good example to new workers and encouraged co-workers to follow the safe working practices?



- Have you taken the initiative to find out the hazards in the workplace?
- Have you reported any unsafe condition to your supervisor and suggested ways of improvement?



- Have you complied with the safety systems (such as the "permit to work" system) and safety rules of your company?



- As a safety supervisor, do you understand the hazards associated with the job and supervise the workers to follow the safe working practices?

Further information can be obtained from the Occupational Safety and Health Branch of the Labour Department. If necessary, please contact us.

Enquiry

- ☎ Telephone : 2559 2297
- 📠 Facsimile : 2915 1410
- 📧 E-mail : enquiry@labour.gov.hk

Information on the services of the Labour Department and on major labour legislation can also be found by visiting our Home Page on the Internet. Address of our Home Page is <http://www.labour.gov.hk>.

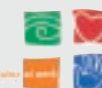
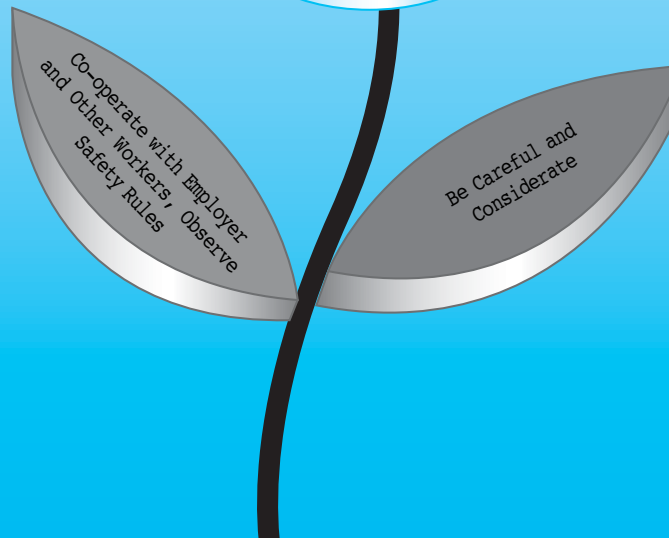
Information on the services offered by the Occupational Safety and Health Council can be obtained through hotline 2739 9000.

Complaints

If you have any complaints about unsafe workplaces and practices, please call the Labour Department's occupational safety and health complaint hotline at 2542 2172. All complaints will be treated in the strictest confidence.

Industrial Safety

(General Duties of Persons employed)



Introduction

Promotion of safety and health at work requires the co-operation of proprietors and persons employed. The Factories and Industrial Undertakings (Amendment) Ordinance 1989 imposes General Duties on proprietors and persons employed with regard to safety and health at work. This guide is prepared to assist persons employed in understanding the General Duties Provisions.

The General Duties Provisions are comprehensive provisions with wide applications. Contrary to other existing safety and health legislation which stipulates safety and health requirements in technical details, the General Duties Provisions only express the duties of proprietors and persons employed in general terms with regard to securing the safety and health of themselves and of others at work.



General Duties of Persons Employed

Persons employed in industrial undertakings have duties to —

- take reasonable and cautious measures to secure the safety and health of themselves and of others who may be affected by their acts or omissions at work. They must not do things that endanger the safety and health of themselves or of others, and should take proactive steps to find out the hazards at work and comply with the relevant codes of practice on safety.
- co-operate with their proprietors or any other persons so far as is necessary to enable them to comply with or to perform their legal duties and responsibilities for securing the safety and health at work of all the persons employed.

Offences and Penalties

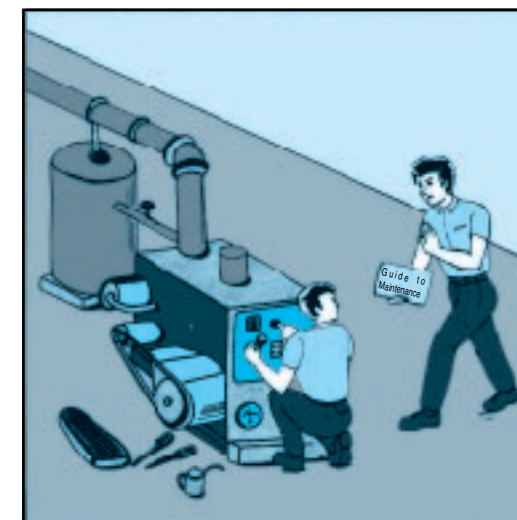
- A person employed who breaches the General Duties Provisions commits an offence, and is liable to a fine of \$25,000 upon conviction.
- A person employed who wilfully and without reasonable excuse does something that endangers himself/herself or other persons commits an offence, and is liable to a fine of \$50,000 and to imprisonment for 6 months upon conviction.

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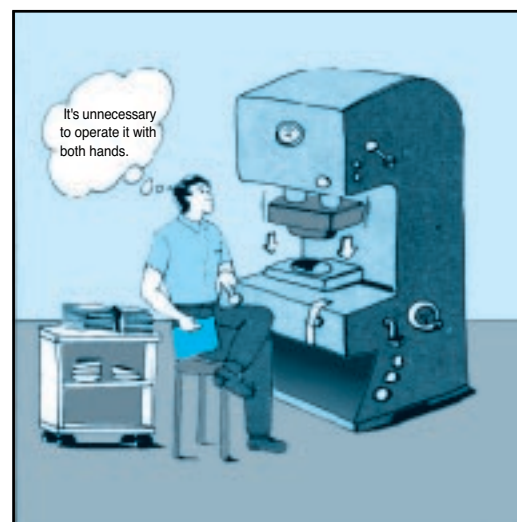
- Has care been taken for the safety and health of yourself and of others who may be affected by your acts or omissions?



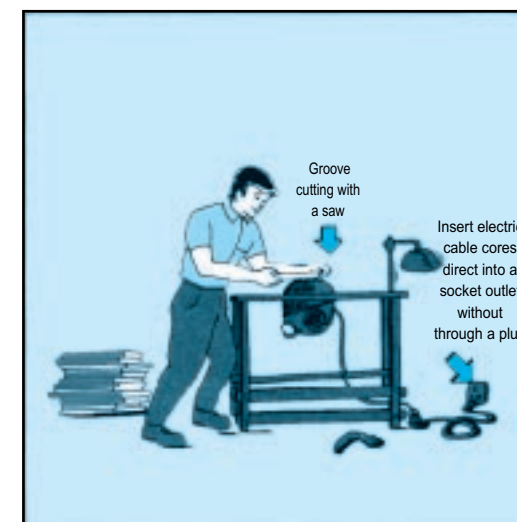
- Have you taken proper steps when carrying out repair, maintenance and cleaning operations?



- Have you received adequate training on safe operation? Do you have the relevant safety information?



- Have you tampered with the safety guards or devices?



- Would you use improvised tools or adopt improper job methods which entail unnecessary risk?



- Are your working clothes suitable for the work?
- Do you know how to use and maintain personal protective equipment?