

## Safety and Health Guideline for Takeout Item Delivery Services

Announced thru Lao-Zhi-Shou-Tze-11102048421 Order issued by the Ministry of Labor on August 30, 2022

1. To implement the regulations set out in Item 2 under Article 286-3 of Occupational Safety & Health Facilities Rules, this Guideline is developed by the Ministry of Labor for the employer to set up their “Hazard Prevention Plan for Takeout Item Delivery Services” and put it into action.
2. When assigning workers to execute the takeout item delivery service with transportation tools such as motorcycles and bicycles, the employer shall provide reasonable and necessary safety and health protection facilities such as a helmet, reflective signage, high/low temperature hazard prevention device and emergency communication equipment and shall urge the workers to use these facilities correctly. In the meantime, the employer is also required to compile the “Hazard Prevention Plan for Takeout Item Delivery Services” in order to promote the takeout item services safely.
3. The takeout item delivery service termed in this Guideline refers to the item delivery operation that will be conducted outdoors.
4. The “Hazard Prevention Plan for Takeout Item Delivery Services” specified in Point 2 shall include following particulars:
  - (1) Operation safety related evaluation system and handling measures.
  - (2) Safety and health related education and training.
  - (3) Vehicle safety related checking items.
  - (4) Insurance type and coverage.
  - (5) Hazard prevention measures required for dealing with outdoor high/low temperature environments.
  - (6) Reasonable work assignment.
  - (7) Accident solutions.
  - (8) Effect evaluation and improvement.
5. Before assigning workers to execute the takeout item delivery services, the employer shall identify and evaluate the takeout item operation hazard according to Table 1 for the evaluation system and solutions required for the operation safety specified in Clause 1 mentioned above and shall also take corresponding solutions.

The aforesaid hazard identification and evaluation shall include following particulars:

  - (1) Operation risks for takeout item delivery services.
  - (2) Supporting equipment.
  - (3) Personal protective equipment.
  - (4) Risk evaluation.
6. The safety and health education/training mentioned in Clause 2 of Point 4 means that the employer engaging workers in the takeout item delivery service shall provide over 3 hours of safety and health education/training according to the requirements set out in Article 17 and Article 18 of

“Occupational Safety & Health Education and Training Rules” for the newly recruited labors. In the meantime, the employer shall also provide necessary on-the-job education and training according to the nature of the work and the risk evaluation result for the on-the-job labors.

7. The vehicle safety inspection items specified in Clause 3 of Point 4 refer to the traffic tools such as motorcycles and bicycles used by the employer for executing the takeout item delivery services. Before executing the takeout delivery service, the employer shall in addition to handling the vehicle safety inspection according to Table 2 and shall handle in accordance with the guidelines for transport safety for motorcycles delivery set by the Directorate General of Highways, MOTC and applicable traffic regulations to prevent the traffic accident from occurring.
8. When assigning workers to engage in the takeout item delivery services, the employer shall secure relevant insurance protection such as personal insurance and property insurance for workers according to Table 3 as well as the insurance type and coverage specified in Clause 4 of Point 4 in order to protect the labor’s interests in occupational hazard.
9. The preventive measures required for the hazard due to outdoor high/low temperature environment as specified in Clause 5 of Point 4 shall be executed according to following requirements:
  - (1) When assigning workers to execute the takeout item delivery services in high temperature outdoor environment, the employer shall take necessary hazard prevention measures in accordance with the regulations set out in Article 324-6 of “Occupational Safety & Health Facilities Rules” and the “Labor Heat Hazard Prevention Guideline for High Temperature Outdoor Operations” developed by Ministry of Labor.
  - (2) When assigning workers to execute the takeout item delivery services in low temperature outdoor environments, the employer shall provide multi-layer thermos-keeping and air permeable working suits according to the low temperature report announced by the Central Weather Bureau under MOTC. If the worker is easily affected by outdoor low temperature as to cause the worsening and triggering of cerebrovascular disease cardiac disease, then the employer shall watch the physical health status of such person at all times to prevent him from performing the outdoor operations for longer time.
10. The reasonable assignment specified in Clause 6 of Point 4 means that the employer shall evaluate relevant factors such as driving distance, traffic conditions and regulations, climate conditions, the number of cases to be delivered, time and location before assigning the worker to execute the takeout item delivery services. In the meantime, the employer shall also take appropriate measures through program design or computation rules in order to assign the work in a reasonable way.

11. The accident handling specified in Clause 7 of Point 4 means that when any of the following occupation hazards has occurred to the worker executing the takeout item delivery service, the employer shall report the accident to local labor inspection agency within 8 hours and shall conduct the accident investigation, analysis and maintain the record after the event:
  - (1) The occurrence of death hazard.
  - (2) The number of hazard victims is over 3 persons.
  - (3) The number of hazard victims is over 1 person and needs to be hospitalized for treatment.
12. The effect evaluation and improvement specified in Clause 8 of Point 4 means that the employer shall evaluate the execution effect of “Hazard Prevention Plan for Takeout Item Delivery Services” at least once per year and shall review and make improvement in due time in order to confirm that the plan has been executed efficiently and met actual demand.
13. Before the business unit deliver the non-employment-related individual to personally execute the takeout item delivery service, the business unit shall inform the individual in advance of the working environments, hazardous factors, the Occupational Safety and Health Act, and the relevant safety and the measures to be taken regarding safety and health regulations.

The aforesaid prior notification shall include at least the following particulars:

  - (1) Hazard identification and evaluation assessment of the risks of takeout item delivery services as specified in Table 1, Point 5.
  - (2) The risks arising from executing the takeout delivery services delivered by two or more business units during the same period.
  - (3) The risks of not complying with traffic regulations when executing the takeout delivery services.

Table 1: Operation Safety Evaluation System and Solutions

Name of Business/Department: _____ Logging date: YY MM DD / Time: Hour Min
Effective period: From YY MM DD Hour Min to YY MM DD Hour Min
Takeout item delivery operation area:
Takeout item delivery operation item:
I. Pre-job hazard identification and evaluation:
Takeout item delivery operation risks: <input type="checkbox"/> Flooding <input type="checkbox"/> Strong wind <input type="checkbox"/> Heavy rain <input type="checkbox"/> Landslide/falling rocks <input type="checkbox"/> Scaffolding or road tree collapse <input type="checkbox"/> Road damage <input type="checkbox"/> Object falling <input type="checkbox"/> Electric wire falling <input type="checkbox"/> Electric pole tumbling <input type="checkbox"/> Animal contacting (Attack) <input type="checkbox"/> Others: _____
Supporting gears: <input type="checkbox"/> Safe transportation tool <input type="checkbox"/> Communication equipment <input type="checkbox"/> First aid kit <input type="checkbox"/> Others _____
Personal protective equipment: <input type="checkbox"/> Helmet <input type="checkbox"/> Raincoat <input type="checkbox"/> Goggles <input type="checkbox"/> Life jacket <input type="checkbox"/> Bite guards <input type="checkbox"/> Repelling or isolating equipment <input type="checkbox"/> Other protective gear _____
Risk evaluation: <input type="checkbox"/> Significant risks or foreseeable risks as reported by the media <input type="checkbox"/> Medium-level risk <input type="checkbox"/> Low-level risk
II. Solutions for operation risks:
1. Significant risks or foreseeable risks: <input type="checkbox"/> Stopping the takeout item delivery service. 2. Medium-level risk: <input type="checkbox"/> Execute the takeout item delivery service, but take protective measures, for example: <input type="checkbox"/> Using a safe transportation tool to execute the takeout delivery service. <input type="checkbox"/> Restrict the takeout item delivery area within ___ kilometers. <input type="checkbox"/> Other protective measures. 3. Low-level risk: <input type="checkbox"/> Execute the takeout item delivery service by motorcycle. <input type="checkbox"/> Others _____
III. Special items and restrictions: (not required if none)
IV. Notice: Following requirements should be noted: "When discovering that risk may exist at the delivery location to jeopardize human life before assigning workers to execute the delivery service, to not assign the worker to the scene in order to protect the safety of the worker. In this case, adverse punishment will not be imposed if the worker cannot achieve the takeout item delivery mission" and "If discovering that impending hazard is existed at the delivery location when executing the duties, the worker may stop executing the service and then retreat to a safe location according to the requirements and adverse punishment will not be imposed."

Signature of delivery person:

Signature of supervisor:

Table 2: Vehicle Safety Checklist

Checking Item	Checking Result
If the worker is wearing the reflective vest or the reflective signage?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the gasoline level is lower than the min. oil level mark?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Engine oil lamp If the lamp is illuminated normally? If the lamp is being replaced regularly?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Lights (high beam, direction indicators, brake indicator) If the light is bright? If the light is dirty or stained? If it is damaged?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Brake If the front brake system is normal? If the rear brake system is normal?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Tire If there's any external damage? If any foreign matters are attached? If the tread pattern is deep enough?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Rim If the rim is deformed? If any cracking sign is seen? If any abrasion sign is seen?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If the driving license is revoked?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the takeout item thermos-keeping box is securely fixed? If the takeout item thermos-keeping box is damaged?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Signature of delivery person:	Signature of supervisor:

Table 3: Insurance Type and Coverage

Personal Insurance	Min. coverage:
Group Injury Insurance (death/disability)	NTD3,000,000.00
Group Injury Insurance (injury medical care)	Disbursed per actual amount: NTD30,000.00
	Daily outpatient amount: NTD300.00
	Daily hospitalization amount: NTD1,000.00

Property Insurance	Min. coverage
Compulsory Automobile Liability Insurance (death/disability)	NTD2,000,000
Compulsory Automobile Liability Insurance (injury/medical care)	Max. NTD200,000 per person
Third Party Liability Insurance	NTD2,000,000 for each personal injury
	NTD4,000,000 for each accident

Remark 1: The “Group Injury Insurance” is determined according to nationwide official group accident insurance coverage practiced in 2015 and 2019, which covers Category 1 to Category 4 personnel according to occupation categorization. The motorcycle delivery business is classified as Category 3 in occupational categorization.

Remark 2: The coverage of Compulsory Automobile Liability Insurance is set according to “Compulsory Automobile Insurance Settlement Standard” and is mandated for motorcycle owners to take out by law.

Remark 3: Third Party Liability refers to the compensation responsibility that arises under the law for the death, incapacity or injury of a third party caused by a traffic accident in the takeout item delivery service.