

THE GOVERNMENT OF ROMANIA

DECISION

on the minimum safety and health requirements for temporary or mobile construction sites

On the basis of Article 108 in the Romanian Constitution, republished,

The Government of Romania has adopted this decision.

CHAPTER 1

General provisions

Art. 1. - This decision lays down minimum safety and health at work requirements for temporary and mobile construction sites.

Art. 2. - This decision shall not apply to drilling and extraction activities in the extractive industry.

Art. 3. - The provisions of the national law transposing the Directive 89/391/EEC are applicable to the scope referred to in Article 1, without prejudice to more stringent and/or specific provisions contained in this decision.

Art. 4. - For the purpose of this decision, the terms and the phrases bellow are defined as follows:

a) *temporary or mobile construction sites*, hereinafter referred as *site*, - any construction site at which building or civil engineering works are carried out, which non-exhaustive list is given in Annex no.1;

b) *client (investor)* - any natural or legal person for whom is carried out the project and who assures the necessary funds to accomplish it;

c) *project manager* - any natural or legal person authorized as required by the law and appointed by the client who is in charge to organize, plan, program and control of the works performed on site, and who is also responsible for the accomplishment of the project in the concerted requirements relative to quality, costs and deadlines;

d) *project designer* - any competent natural or legal person who, at the client order, draws up the design documentation;

e) *site foreman* - any natural person designated by the builder to run the buildings on site and to follow up their accomplishment conform to the project;

f) *builder (constructor, contractor, tenderer)* - any competent natural or legal person who executes civil engineering works, based on a project, at the client order;

g) *sub-builder (subcontractor)* - any natural or legal person who undertakes the contractual task vis-à-vis the builder to execute specific civil engineering works, as provided in the project design;

h) *self-employed person* - any natural person authorized to execute an independent professional activity, who undertakes a contractual task vis-à-vis the client, the builder or the sub-builder to execute on site works that he/she is authorized for;

i) *coordinator for safety and health matters at the project preparations stage* - any competent natural or legal person designated by the client and/or project manager, during preparation of the project design, with performing the duties referred to in Article 54;

j) *coordinator for safety and health matters at the project execution stage* - any competent natural or legal person designated by the client and/or project manager, during execution of the project, with performing the duties referred to in Article 58.

Chapter II

Coordinators for safety and health matters

Art. 5. - The coordination on safety and health matters must be organized both in the study, preparation and elaboration of the project stage as well as in the execution of the works stage.

Art. 6. - Where many designers are participating in the project elaboration, the client and/or the project manager shall appoint one as coordinator for safety and health matters at the project preparations stage.

Art. 7. - Where many builders, a builder and one or more subcontractors, a builder and self-employed workers, or many self-employed workers, are participating at the execution of the works on site the client and/or the project manager shall appoint one as coordinator for safety and health matters at the project execution stage.

Art. 8. - The position as coordinator for safety and health matters at the project preparations stage and the position as coordinator for safety and health matters at the project execution stage or at the subsequent interventions can be held by the same person.

Art. 9. - In order to carry out their duties, the coordinators for safety and health matters shall:

- a) participate in all stages for preparations and execution of the project;
- b) be invited to all meetings relative to the project elaboration and the execution of the work;
- c) receive the necessary elements in order to carry out their duties and, if necessary, ask the project manager and the builder for these elements, if necessary;
- d) lay down and update a coordination book, as referred to in Article 36.

Chapter III

Instruments of Coordination

Section 1

The safety and health plan

Art. 10. - The client or the project manager shall ensure that prior to the setting up of a construction site a safety and health plan is drawn up in accordance with Article 54 letter b).

Art. 11. - The safety and health plan is a document conveying the written ensemble of measures to be taken in order to prevent the risks likely to arise while the activities are in progress on site.

Art. 12. - The safety and health plan shall be drawn up in the project elaboration stage and shall be updated during the evolution of the works.

Art. 13. - The safety and health plan shall be drawn up by the coordinator for safety and health matters at the project preparations stage.

Art. 14. - Where the project is elaborated solely by one project designer, he or she is responsible to draw up the safety and health plan.

Art. 15. - The safety and health plan shall integrate all safety and health plans elaborated by every builder, as soon as it is issued.

Art. 16. - The safety and health plan shall be a part of the project design and shall be adapted to its content.

Art. 17. - The safety and health plan must:

a) specify the applicable safety and health requirements to the construction site concerned;

b) particularize the risks likely to arise;

c) indicate the necessary prevention measures to reduce or eliminate the risks;

d) include specific measures concerning works which fall within one or more of the categories of Annex no.2;

Art. 18. - When the safety and health plan is drawn up, all kind of activities in progress on the site must be taken into account and all areas in which the works referred to in Annex no.2 must be identified.

Art. 19. - The safety and health plan must contain at least the followings:

a) administrative information as regards to the site and, where necessary, information in completion of the prior notice referred to in Article 47;

b) general organizational measures of the site concerted between the project manager and the coordinators for safety and health matters;

c) the identification of risks and the description of works which likely to represent risks for workers' safety and health;

d) specific measures for safety at work concerning risky works; collective and individual protective measures;

e) the arrangement and organization of the site, including sanitary facilities, storage possibilities for materials, the layout of work equipment provided by the builders and subcontractors to accomplish the their own works;

f) coordinating measures settled down by the coordinators for safety and health and obligations arising from these measures;

g) obligations arising from the interference of the activities performed in the perimeter and vicinity of the site;

h) general measures to ensure that the site is kept in good order and cleanliness;

i) practical indications concerning first aid, evacuation of persons and organizational measures taken for these reasons;

j) collaboration modalities between builders, subcontractors and self-employed workers concerning safety and health at work.

Art. 20. - The coordination measures established by the coordinators for health and safety matters and the obligations arising from these measures must refer, especially, at:

a) routes or areas for the passage and movement, both horizontally and vertically;

b) manipulation conditions for different materials, in particular, regarding the interference of lifting installations found on site or in its vicinity;

c) limitation of handing the burdens;

d) the demarcation and laying-out of areas for the storage of various materials, in particular where dangerous materials or substances are concerned;

- e) the conditions for storage and disposal or removal of wastages and debris;
- f) the conditions under which the dangerous materials used are removed;
- g) the use of collective protective equipment and the use of general energy distribution installations;
- h) measures regarding the interactions on the site.

Art. 21. - The safety and health plan must be completed and adapted in accordance with the evolution of the site and the effective duration of the works or the effective phases of the work.

Art. 22. - The safety and health plan must be permanently available on site, in order to be consulted by labour inspectors, sanitary inspectors, members of the safety and health committee or workers' representatives with specific responsibilities in the field of safety and health, on their request.

Art. 23. - The safety and health plan shall be kept by project manager for a 5 years-period after the date for final acceptance of the work.

Section 2

The own safety and health plan

Art. 24. - The own safety and health plan covers the ensemble of safety and health measures specific to each builder and subcontractor.

Art. 25. - When a builder engages himself to accomplish works on a construction site, he must make available to the project manager or to the client his own safety and health plan.

Art. 26. - The builder must establish this plan in maximum 30 days after the contracting date for the work.

Art. 27. - The own safety and health plan must be harmonized with the safety and health plan of the construction site.

Art. 28. - The builder who, together with one or more subcontractors, executes all or part of works in respect of the provisions on safety and health plan must send a copy of his own plan to each subcontractor and, if necessary, a document containing the general safety and health measures for site works under his responsibility.

Art. 29. - The subcontractor shall take into account information provided by the builder and the provisions of the safety and health plan for construction site when draws up his own safety and health plan.

Art. 30. - The subcontractor shall draw up his own safety and health plan in maximum 30 days after the date of contracting the work with the builder.

Art. 31. - The own safety and health plan must contain, at least, the following:

- a) name and address of the builder/subcontractor;
- b) number of the workers on the site;
- c) name of the person designate to run the executions of the works, if necessary;
- d) duration of works, indicating the beginning of the works on site;
- e) analysis of the technological processes for execution which may affect the safety and the health of the workers and other participants at the work process on site.
- f) assessment of the foreseeable risks related to the way of doing work, the materials used, the work equipment used, the use of dangerous substances or materials, the passages for the personnel, the organization of the site;

g) measures to ensure the safety and health of workers, characteristic for the works which are executed on the site by the builder/subcontractor, including collective protective measures and individual protective measures.

Art. 32. - Before starting the works on site, the own safety and health plan must be consulted and rubber-stamped by the coordinator for safety and health matters at the project execution stage and the occupational medicine physician and the members of the safety and health committee or the workers representatives with specific responsibilities in the field of safety and health.

Art. 33. - The own safety and health plan must be kept up-to-date whenever it is necessary.

Art. 34. - An updated copy of the own safety and health plan must permanently be on site in order to be consulted by labour inspectors, sanitary inspectors, members of the safety and health committee or by the workers' representatives with specific responsibilities in the field of safety and health.

Art. 35. - The own safety and health plan must be kept by the builder for 5 years-period after the date for final acceptance of the work.

Section 3

Coordination book

Art. 36. - The coordination book contains the ensemble of documents drawn up by the coordinators for safety and health matters, information regarding events which took place on the site, findings and decisions taken.

Art. 37. - Coordinator for safety and health matters shall record in the coordination book:

a) name and address of the builders, subcontractors and the date each of them intervention on site;

b) a list of effective numbers of workers on site and scheduled time for the works.

c) important events which have to be considered when realizing the project, respectively the works, findings and decision taken;

d) observations, information, and proposals concerning the safety and health at work disclosed to the client or project manager or those who intervene on site as well as their occasional answers;

e) observations and proposals of builders and subcontractors concerning the safety and health at work;

f) deviations from the provisions of the health and safety plan;

g) the reports of the controlling visits and the meetings on the site, the dispositions which have to be transmitted;

h) incidents and accidents occurred;

Art. 38. - The coordinator for safety and health matters at the project preparation stage shall transmit the coordination book to the coordinator for safety and health matters at the project execution stage, based on a minute which shall be attached to the book.

Art. 39. - Coordinator for safety and health matters has to present the coordination book to the project manager, labour inspectors and sanitary inspectors, on their request.

Art. 40. - The coordination book has to be kept by the coordinator for safety and health matters for 5 years-period after the date for final acceptance of the work.

Section 4

Subsequent interventions file

Art. 41. - Subsequent interventions file must contain:

a) documentation of subsequent interventions, such as plans and technical notes;

b) provisions and useful information to perform subsequent interventions in good conditions for safety and health at work.

Art. 42. - Subsequent interventions file is drawn up in the preparation stage by the coordinator for safety and health matters at the project preparation stage.

Art. 43. - Subsequent interventions file must be transmitted to the coordinator for safety and health matters at the project execution stage on the basis of a minute attached to file.

Art. 44. - After final acceptance of the work, subsequent interventions file must be transmitted to the client on the basis of a minute attached to file.

Art. 45. - In case of a subsequent intervention, the client shall make available to the coordinator for safety and health matters designated for the period of subsequent interventions a copy of subsequent interventions file.

Art. 46. - The coordinator for safety and health matters designated for the period of subsequent interventions must complete the subsequent interventions file and make necessary modifications requested by new works.

Chapter IV

Prior notice

Art. 47. - The client or the project manager shall draw up a prior notice in the following situations:

a) work is scheduled to last longer than 30 working days and on site are occupied simultaneously more than 20 workers;

b) volume of work is scheduled to exceed 500 person-day.

Art. 48. - The notice will be drawn up in accordance with Annex no. 3 and shall be communicated to the competent territorial labour inspectorate, with at least 30 days before work starts.

Art. 49. - The prior notice text must be displayed on the construction site, in a visible place, before starting the works.

Art. 50. - The prior notice text must be updated whenever changes occur.

Chapter V

Work project preparation

Section 1

General safety and health principles applicable in project design

Art. 51. - During the project preparation, study and drawing up stage, the project manager, the designer or the client, where appropriate, have to take in consideration the general principles of prevention on safety and health matters stipulated in the national legislation transposing the Directive 89/391/EEC and in particular:

a) the choice of the architectural, technical and/or organizational solutions, in order to plan the various works or stages of work which are to take place simultaneously or in succession;

b) the estimation of the period required for completing such work or work stages.

Art. 52. - During the project preparation, study and drawing up stage, must be taken into account, whenever necessary, all safety and health plans and all files prepared as referred in Article 54 letter b) or c) or adjusted as referred in Article 58 letter c).

Section 2

Appointment of the coordinator for safety and health matters

Art. 53. - The appointment of the coordinator for safety and health matters at the project preparation stage must be done before the start of the drawing up of the project design stage.

Section 3

Duties of the coordinator for safety and health matters at the project preparations stage

Art. 54. - The coordinator for safety and health matters at the project preparations stage appointed in accordance with Article 6 has the following duties:

- a) to coordinate implementation of the provisions of Articles 51 and 52;
- b) to draw up, or to ask for drawing up under his supervision, a safety and health plan setting out the rules applicable to the construction site concerned, taking into account the industrial activities taking place on the site;
- c) to prepare a file for subsequent interventions, in concordance to the characteristics of works, containing relevant safety and health information to be taken into account during any subsequent works.
- d) to adapt the safety and health plan to every modification brought to the project;
- e) to send the elements of the safety and health plan to everyone having responsibilities in the field;
- f) to open a coordination book and to complete it;
- g) to send the safety and health plan, the coordination book and the file for subsequent interventions, to the client and/or project manager and to the coordinator for safety and health at the project execution stage;
- h) to participate at the meetings organized by the client and/or the project manager;
- i) to establish, in collaboration with the client and/or the project manager, the general prevention measures for safety and health at work applicable for the site;
- j) to harmonize the builders' own safety and health plans with the safety and health plan of the site;
- k) to organize the coordination between the designers;
- l) to take into account all interferences of the activities on the site.

Art. 55. - The coordinator for safety and health matters at the project preparations stage has to have the needed competence for exercising the function:

- a) minimum 5 years of professional experience in architecture, constructions or running construction sites;
- b) specific training for coordinator for health and safety matters, actualized at every 3 years.

Chapter VI

Work realization

Section 1

General principles applicable at project execution stage

Art. 56. - During the project execution stage, employers must respect the general obligations according to the national legislation transposing Directive 89/391/EEC and in particular:

- a) keeping the construction site in good order and in satisfactory state of cleanliness;
- b) choosing the location of workstations bearing in mind how access to these workplaces is obtained;

- c) determining routes or areas for the passage and movement;
- d) safely handling of various materials;
- e) technical maintenance, pre-commissioning checks and regular checks on installations and used equipment with a view to correcting any faults which might affect the safety and health of workers;
- f) the demarcation and laying-out of areas for the storage of various materials, in particular where dangerous materials or substances are concerned;
- g) the conditions under which the dangerous materials used are moved;
- h) the storage and disposal or removal of waste and debris resulted from dismantles, demolitions and disassembling;
- i) the adaptation, based on progress made with the site, of the actual period to be allocated for the various types of work or work stages;
- j) cooperation between employers and self-employed persons;
- k) interaction with any other type of activity at the place within which or in the vicinity of which the construction site is located.

Section 2

Appointment of the coordinator for health and safety matters at the project execution stage

Art. 57. - When the client or the project manager appoints a coordinator for health and safety matters at the project execution stage other than the one appointed at the project preparations stage, this appointment shall take place before the starting of the works on the site.

Section 3

Duties of the coordinator for health and safety matters at the project execution stage

Art. 58. - The coordinator for health and safety matters at the project execution stage appointed in accordance with Article 7 shall have the following duties:

- a) to coordinate the implementation of the general principles of prevention and safety when technical and/or organizational aspects are chosen, in order to plan the various works or stages of work which are to take place simultaneously or in succession and when estimating the period required for completing such work or work stages;
- b) to coordinate implementation of the relevant measures in order to ensure that employers and, where necessary, self-employed persons comply the principles referred to in Article 56 in a consistent and responsible manner and follow the safety and health plan referred to in Article 54 letter b);
- c) to make or to ask for to be made the necessary adjustments of the safety and health plan referred to in Article 54 letter b) and the file for subsequent interventions referred to in Article 54 letter c) to take account of the progress of the work and any changes which have occurred;
- d) to organize cooperation and coordination activities between all employers, including successive employers on the same site, concerning workers' health and safety, prevention of accidents and occupational health hazards which can affect the workers health, reciprocal information and information of workers and their representatives and, if necessary, information of self-employed persons.
- e) to coordinate the activities which follow the correct implementation of the work and work safety instructions;
- f) to take the necessary measures as to permit access in the construction site only for authorized persons;

g) to establish, in collaboration with the project manager and the builder, the general measures applicable to the construction site;

h) to take account about all interferences of activities within the construction site area or in its vicinity;

i) to establish together with the builder obligations regarding the use of collective protective devices, burden lifting installations, access to the construction site;

j) to execute joint visits with each builder and subcontractor on construction site, before they draw up their own safety and health plan;

k) to rubber-stamp the safety and health plans and their modifications drawn up by builders.

Art. 59. - The coordinator for health and safety matters at the project execution stage must have the necessary competence to exercising the function:

a) professional experience in constructions or in running a construction site of minimum 5 years;

b) specific training of coordinator for health and safety matters, updated each 3 years.

Chapter VII

Obligations of clients, project managers employers and self-employers workers

Section 1

Obligations of the client and the project manager

Art. 60. - Where a client or project manager has appointed one or more coordinators for safety and health matters to perform the duties referred to in Articles 54 and 58, this does not relieve him of his responsibilities in that respect.

Art. 61. - With a view to ensure and preserve the health and safety of the workers in the site, the project manager has mainly the following obligations:

a) to apply the general principles of risk prevention at the work place;

b) to cooperate with the coordinators for health and safety at the project preparations and execution stages;

c) to take into consideration the observations of the coordinators for health and safety matters, recorded in the coordination book;

d) to establish the general safety and health measures applicable to the construction site in consultation with the coordinators for health and safety matters;

e) to draw up a practical collaboration document together with the coordinators for health and safety matters.

Section 2

Duties of the employers

Art. 62. - The implementation of Articles 54, 58 and 60 shall not affect the principle of employers' responsibility as provided for in national legislation transposing the Directive 89/391/EEC.

Art. 63. - In order to ensure and preserve the health and safety of the workers on the construction site according to the provisions of Articles 58, 60 and 62, the employers have mainly the following obligations:

a) to observe the general obligations of the employers according to the national legislation transposing the Directive 89/391/EEC;

b) to accomplish and follow the observance of the health and safety plan by all workers on the site;

c) to take the necessary measures for the enforcement of the provisions of Article 56, in line with the minimum requirements set out in Annex no.4;

d) to take into account the indications of the coordinators for health and safety matters or of the site foreman and to fulfil them during the entire period of the execution of works;

e) to inform the self-employed workers about the health and safety measures that must be applied on the site and to make available the adequate instructions;

f) to draw up their own health and safety plans and to transmit them to the coordinators for health and safety matters.

Art. 64. - In order to preserve safety and health on the site, where employers are personally engaged in work activity on the construction site, they shall observe:

a) the provisions of the national legislation transposing the Directive 89/391/EEC regarding the employees' obligations, work equipment, the individual protective equipment;

b) the indications of the coordinator(s) for safety and health matters.

Section 3

The obligations of the self-employed persons

Art. 65. - In order to preserve safety and health on the site, self-employed persons shall:

a) to observe the health and safety measures, during the entire period of works execution, in concordance with the national legislation transposing the Directive 89/391/EEC and, in particular, the provisions of Article 56;

b) to observe the minimum health and safety requirements established in Annex no. 4;

c) to carry on his/her activity according to the health and safety requirements established for the site concerned;

d) to participate to any coordinated action for the prevention of accidents and occupational illness on the site;

e) to use the work equipment that comply with the health and safety requirements;

f) to choose and use the individual protective equipment according to the risks they are exposed to;

g) to observe the indications and to fulfil the instructions of the coordinators for health and safety matters.

h) to observe the provisions of the health and safety plan.

Chapter VIII

Information for workers

Art. 66. - Workers and/or their representatives shall be informed of all the measures to be taken concerning their safety and health on the construction site.

Art. 67. - The information must be comprehensible to the workers concerned.

Chapter IX

Consultation and participation of workers

Art. 68. - The consultation and participation of workers and/or their representatives on matters covered by Articles 58, 56 and 63 shall take place in accordance with the national legislation transposing the Directive 89/391/EEC.

Art. 69. - The consultation and participation of the workers and/or workers' representatives in undertakings carrying out their activities at the same workplace must be realized, whenever necessary, with a proper coordination, having regard to the degree of risk and the size of the work site.

Art. 70. - A copy of the health and safety plan and if the case may be, of its modifications, must be made available to workers or workers' representatives, with the purpose of consultation and participation of workers.

Chapter X

Final and transitory dispositions

Art. 71. - Annexes 1 - 4 are part of this decision.

Art. 72. - The regulation regarding the specific training as coordinator for safety and health matters referred to in Articles 55 and 59 shall be established by an Order of the Minister of Labour, Social Solidarity and Family.

Art. 73. - This decision enters into force on 1st of January 2007.

The present Decision transposes the Directive 92/57/EEC on the implementation of minimum safety and health requirements at temporary or mobile constructions sites, published in the Official Journal of the European Communities (OJEC) no. L 245/1992.

Prime Minister

Călin Popescu Tăriceanu

Non-exhaustive list of building and civil engineering works

1. Excavation
2. Earthworks
3. Construction
4. Assembly and disassembly of prefabricated elements
5. Conversion or fitting-out
6. Alterations
7. Renovations
8. Repairs
9. Dismantling
10. Demolition
11. Upkeep
12. Maintenance - Painting and cleaning work
13. Drainage
14. Consolidations
15. Modernizations
16. Rehabilitations
17. Extensions
18. Restorations
19. Disassemblies

Non-exhaustive list of works involving particular risks to the safety and health of workers

1. Works which put workers at risk of burial under earthfalls, engulfment in swampland or falling from a height, where the risk is particularly aggravated by the nature of the work or processes used or by the environment at the place of work or site.
2. Works which put workers at risk from chemical or biological substances constituting a particular danger to the safety and health of workers or involving a legal requirement for health monitoring.
3. Work with ionizing radiation exposure for which the specific norm requires the designation of controlled or supervised areas.
4. Work near high voltage power lines.
5. Work exposing workers to the risk of drowning.
6. Work on wells, underground earthworks and tunnels.
7. Work carried out by workers in caisson with a compressed-air atmosphere
8. Work involving the use of explosives.
9. Work involving the assembly or dismantling of heavy prefabricated components

Content of the prior notice

1. Date of forwarding
2. Exact address of the construction site
3. Client(s) (names and addresses):
4. Type of project:
5. Project manager(s) (name and address):
6. Safety and health coordinators(s) during the project preparation stage (name and address)
7. Coordinator(s) for safety and health matters during the project execution stage (name and address)
8. Date planned for start of work
9. Planned duration of work on the construction site:
10. Estimated maximum number of workers on the construction site:
11. Planned number of builders/subcontractors and self-employed persons on the construction site:
12. Identification details of builders/subcontractors and self-employed workers already chosen:

Minimum safety and health requirements for construction sites

Preliminary remarks

The obligations laid down in this Annex apply wherever required by the features of the construction site, the activity, the circumstances or a hazard.

For the purposes of this Annex, 'rooms' covers, inter alia, hutted accommodation.

Part A

General minimum requirements for on-site workplaces

1. Stability and solidity

1.1. Materials, equipment and, generally, any component which, when moving in any way, may affect the safety and health of workers must be stabilized in an appropriate and safe manner.

1.2. Access to any surface involving insufficiently resistant materials is not allowed unless appropriate equipment or means are provided to enable the work to be carried out safely.

2. Energy distribution installations

2.1. The installations must be designed, constructed and used so as not to present a fire or explosion hazard; workers must be adequately protected against the risk of electrocution caused by direct or indirect touch.

2.2. The design, construction and choice of equipment and protection devices must take account of the type and power of the energy distributed, external conditions and the competence of persons with access to parts of the installation.

3. Emergency routes and exits

3.1. Emergency routes and exits must remain permanently clear and lead as directly as possible to a safe area.

3.2. In the event of danger, it must be possible for workers to evacuate all workstations quickly and as safely as possible.

3.3. The number, distribution and dimensions of emergency routes and exits is determined on the basis of use, equipment and dimensions of the site and of the rooms and the maximum number of persons that may be present.

3.4. Emergency routes and exits must be indicated by signs in accordance with provisions of the national legislation transposing the Directive 92/58/CEE.

Signposts must be made up of a sufficient resistant material and be placed at appropriate points.

3.5. Emergency routes and exits, and the traffic routes and doors giving access to them, must be free from obstruction so that they can be used at any time without hindrance.

3.6. Emergency routes and exits requiring illumination must be provided with emergency lighting of adequate intensity in case the lighting fails.

4. Fire detection and fire fighting

4.1. Depending of the characteristics of the site, the dimensions and destination of the rooms, the on-site equipment, the physical and chemical properties of the substances present and the maximum potential number of people present, an adequate number of appropriate fire-fighting devices as well as, if required, a sufficient number of fire detectors and alarm systems must be provided.

4.2. The fire-fighting devices, fire detectors and alarm systems must be regularly checked and maintained.

Appropriate tests and drills must take place at regular intervals.

4.3. Non-automatic fire-fighting equipment must be easily accessible and easy to use.

3.7. The equipment must be indicated by signs in accordance with the provisions of the national legislation transposing the Directive 92/58/CEE.

The signposts must be sufficiently resistant and placed at appropriate points.

5. Ventilation

Having regard to the working methods used and the physical demands placed on the workers, steps shall be taken to ensure that there is sufficient fresh air.

If a forced ventilation system is used, it must be maintained in working order and must not expose the workers to draughts which can affect their health.

When it is necessary for workers' health, a control system must signal any accidental breakdown of the system.

6. Exposure to particular risks

6.1. Workers must not be exposed to harmful levels of noise or to harmful external influences (e.g. gases, vapours, dust).

6.2. When workers have to enter an area where the atmosphere is liable to contain a toxic or harmful substance or to have an insufficient oxygen level or to be inflammable, the contaminated atmosphere must be monitored and appropriate steps taken to prevent any hazards.

6.3. In a confined space, a worker may not in any circumstances be exposed to a high-risk atmosphere.

The worker must at least be watched at all times from outside and all appropriate precautions must be taken to ensure that he can be assisted effectively and immediately.

7. Temperature

During working hours, the temperature must be appropriate for human beings, having regard to the working methods used and the physical demands placed on the workers.

8. Natural and artificial lighting of workstations, rooms and traffic routes on the site

8.1. Workstations, rooms and traffic routes must as far as possible have sufficient natural lighting.

When natural daylight is inadequate and also during night, workstations must be provided with appropriate and sufficient artificial lighting.

Where necessary, portable light sources that are protected against impact must be used.

The colour of artificial light used must not alter or affect the perception of signals or signposts.

8.2 Lighting installations for rooms, workstations and traffic routes must be placed in such a way that there is no risk of accident to workers.

8.3. Rooms, workstations and traffic routes where workers are exposed to risks in the event of breakdown of the artificial lighting must be provided with emergency lighting of adequate intensity.

9. Doors and gates

9.1. Sliding doors must be fitted with a safety device to prevent them from being derailed and falling over.

9.2 Doors and gates opening upwards must be fitted with a mechanism to secure them against falling back.

9.3. Doors and gates along escape routes must be appropriately signalled.

9.4. In the immediate vicinity of gates intended primarily for vehicle traffic, there must be doors for pedestrian traffic unless it is safe for pedestrians to cross.

These must be clearly marked and kept free at all times.

9.5. Mechanical doors and gates must operate without any risk of accident to workers.

They must be fitted with emergency stop devices which are easily identifiable and accessible, excepting those that open automatically in the event of a power-cut, and it must be possible for them to be opened manually.

10. Traffic routes - danger areas

10.1. Traffic routes, including mobile stairs, fixed ladders and loading bays and ramps, must be calculated, located, laid out and to ensure easy, safe and appropriate access in such a way as not to expose to any risk workers employed in the vicinity of these traffic routes.

10.2. Routes used for pedestrian traffic and/or goods traffic including those used for loading and unloading must be dimensioned in accordance with the number of potential users and the type of activity concerned.

If means of transport are used on traffic routes, a sufficient safety clearance or adequate protective means must be provided for other site users.

Routes must be clearly marked, regularly checked and properly maintained.

10.3. Sufficient clearance must be allowed between vehicle traffic routes and doors, gates, passages for pedestrians, corridors and staircases.

10.4. If the site includes limited-access areas, these must be equipped with devices to prevent from entering by workers without work duties.

Appropriate measures must be taken to protect workers who are authorized to enter the danger areas. Danger areas must be clearly signposted.

11. Loading bays and ramps

11.1. Loading bays and ramps must be suitable for the dimensions of the loads to be transported.

11.2. Loading bays must have at least one exit point.

11.3. Loading ramps must be safe to prevent workers from falling off.

12. Freedom of movement at the workstation

The floor area at the workstation must be such as to allow workers sufficient freedom of movement to perform their work, taking account of any necessary equipment or appliances present.

13. First aid

13.1 The employer must ensure that first aid can be provided at any time.

The employer must also ensure staff trained to provide it.

Measures must be taken to ensure that workers who have had an accident or have suddenly been taken ill can be removed for medical treatment.

13.2. One or more first-aid rooms must be provided in accordance with the scale of the works or the types of activity being carried out.

13.3. First-aid rooms must be fitted with essential first-aid installations and equipment and be easily accessible to stretchers.

13.4. These rooms must be signposted in accordance with the provisions of the national legislation transposing Directive 92/58/EEC.

13.5. First-aid equipments must be available at all places where working conditions require so.

These must be suitably marked and easily accessible.

A signpost clearly displayed must clearly indicate the address and telephone number of the local emergency service.

14. Sanitary equipment

14.1. Changing rooms and lockers

14.1.1. Appropriate changing rooms must be provided for workers if they have to wear special work clothes and if, for reasons of health or propriety, they cannot be expected to change in another area.

Changing rooms must be easily accessible, be of sufficient capacity and be provided with seating.

14.1.2. Changing rooms must be sufficiently large and have facilities to enable each worker, where necessary, to dry his working clothes as well as his own clothing and personal effects and to lock them away

In some situations, such as the presence of dangerous substances, humidity, dirt, facilities must be provided to enable working clothes to be kept in a place separate from workers' own clothes and personal effects

14.1.3. Provisions must be made for separate changing rooms for men and women or for their separate use by men and women.

14.1.4. If changing rooms are not required as referred to first paragraph of point 14.1.1, each worker must be provided with a place in which he can lock away his own clothes and personal effects.

14.2. Showers and washbasins

14.2.1. Suitable showers in sufficient numbers must be provided for workers if required by the nature of the work or for health reasons.

Provisions must be made for separate shower rooms for men and women or for their separate use by men and women.

14.2.2. The shower rooms must be sufficiently large to permit each worker to wash without hindrance in conditions of an appropriate standard of hygiene.

The showers must be equipped with hot and cold running water.

14.2.3. When showers are not required under the first paragraph of 14.2.1, a sufficient number of suitable washbasins with running water (hot water if necessary). These must be provided in the vicinity of the workstations and the changing rooms.

Provisions must be made for separate washbasins, or separate use of washbasins for men and women when so required for reasons of propriety

14.2.4. Where the rooms housing, the showers or washbasins are separate from the changing rooms, there must be easy communication between the two.

14.3. Lavatories and washbasins

Special facilities which assure the protection of the environment, ecological facilities as usual, with an adequate number of lavatories and washbasins must be provided for workers in the vicinity of workstations, rest rooms, changing rooms and rooms housing showers or washbasins.

Provisions must be made for separate lavatories or separate use of lavatories for men and women.

15. Rest rooms and/or accommodation areas

15.1. Where the safety or health of workers, in particular because of the type of activity carried out or the presence of more than a certain number of employees as well as the remote nature of the site, so require, workers must be provided with easily accessible rest rooms and/or accommodation areas.

15.2. Rest rooms and/or accommodation areas must be large enough and equipped with an adequate number of tables and seats with backs for the number of workers concerned.

15.3. If there are no facilities of this kind, other facilities must be provided in which workers can stay during interruptions in work.

15.4. Fixed accommodation areas unless used only in exceptional cases, must have sufficient sanitary equipment, a rest room and a leisure room.

They must be equipped with beds, cupboards, tables and seats with backs taking account of the number of workers. They will be allocated taking account of the presence of workers of both sexes.

15.5. Appropriate measures should be taken for the protection of non-smokers against discomfort caused by tobacco smoke in rest rooms and/or accommodation areas.

16. Pregnant women and nursing mothers

Pregnant women and nursing mothers must be able to lie down to rest in appropriate conditions.

17. The workers with disabilities

Workplaces must be organized to take account of the workers with disabilities, if necessary.

This provision applies in particular to the doors, passageways, staircases, showers, washbasins, lavatories and workstations used or occupied directly by the persons with disabilities.

18. Miscellaneous provisions

18.1. The entrances and the perimeter of the site must be signposted and laid out so as to be clearly visible and identifiable

18.2. Workers must be provided at the site with a sufficient quantity of drinking water and possibly another suitable non-alcoholic beverage both in occupied rooms and in the vicinity of workstations

18.3. Workers must be provided with conditions enabling them to take their meals in satisfactory conditions and, if it is the case, be provided with facilities enabling them to prepare their meals in satisfactory conditions.

Part B.

Specific minimum requirements for on-site workstations

Preliminary remarks

If special situations so dictate, the classification of these minimum requirements into two sections, as below, should not be regarded as binding.

Section 1

On-site workstations, inside the rooms

1. Stability and solidity

Premises must have a structure and stability appropriate to the nature of their use.

2. Emergency doors

Emergency doors must open outwards and must not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency.

Sliding or revolving doors are not permitted if intended as emergency exits.

3. Ventilation

If air-conditioning or mechanical ventilation installations are used, they must operate in such a way that workers are not exposed to draughts.

Any deposit or dirt likely to create an immediate danger to the health of workers by polluting the atmosphere must be removed without delay.

4. Temperature

4.1. The temperature in rest areas, rooms for duty staff, sanitary facilities, canteens and first-aid rooms must be appropriate to the particular purpose of such areas

4.2. Windows, skylights and glass partitions should allow excessive effects of sunlight to be avoided, having regard to the nature of the work and the intended use of the room.

5. Natural and artificial lighting

Workplaces must as far as possible have sufficient natural light and be equipped with the means of providing artificial lighting which is adequate for the purposes of protecting workers' safety and health.

6. Floors, walls, ceilings and roofs of rooms

6.1. The floors of workplaces must have no dangerous bumps, holes or slopes. The floors must be fixed, stable and not slippery.

6.2. The surfaces of floors, walls and ceilings in rooms must be such that they can be cleaned or refurbished to an appropriate standard of hygiene.

6.3. Transparent or translucent walls, in particular all-glass partitions, in rooms or in the vicinity of workplaces and traffic routes must be clearly indicated and made of safety material or be shielded from such places or traffic routes to prevent workers from coming into contact with walls or being injured should the walls shatter.

7. Windows and skylights

7.1. It must be possible for workers to open, close, adjust or secure windows, skylights and ventilators in a safe manner.

When open, they must not be positioned so as to constitute a hazard to workers.

7.2. Windows and skylights must be provided, from the project stage, with cleaning systems or fitted with devices allowing them to be cleaned without risk to the workers carrying out this work or to workers present.

8. Doors and Gates

8.1. The position, the number, the materials used in their construction, and the dimensions of the doors and gates are determined by the nature and use of the rooms or areas.

8.2. Transparent doors must be appropriately marked at the level of eyes.

8.3. Swing doors and gates must be transparent or have see-through panels.

8.4. The transparent or translucent surfaces in doors and gates must be protected against breakage and if they are not made of safety material then the workers may be injured if a door or gate should shatter.

9. Traffic routes

Where the use of rooms and equipment so requires, traffic routes must be clearly identified in order to ensure the protection of workers.

10. Specific measures for escalators and travelators

Escalators and travelators must function safely and must be equipped with any necessary safety devices.

These must be provided with easily identifiable and accessible emergency shut-down devices.

11. Room dimensions and air space in rooms

Workrooms must have sufficient surface area and height to allow workers to perform their work without risk to their safety, health or well-being.

Section II

On-site outdoor workstations.

1. Stability and solidity

1.1. High-level or low-level movable or fixed workstations must be solid and stable, taking account of:

- a) the number of workers occupying them,
- b) the maximum loads they may have to bear and the weight distribution,
- c) the outside influences to which they may be subject,

If the support and the other components of these workstations are not intrinsically stable, their stability will have to be ensured by appropriate and safe methods of fixing to avoid any untimely or spontaneous movement of the whole or of parts of the workstations.

1.2. Checking

Stability and solidity must be checked appropriately and, especially, after any change in the height or depth of the workstation.

2. Energy distribution installations

2.1. On-site energy distribution installations, especially those subject to outside influences, must be regularly checked and maintained corresponsive.

2.2. Installations existing before the site began must be identified, checked and clearly signposted.

2.3. Whenever possible, where overhead electric power lines exist, either they must be redirected away from the area of the site or else the current must be cut off.

If this is not possible, there will be barriers or warning notices, so as vehicles be kept away from installations.

When vehicles for site have to pass beneath those lines, suitable restriction signals and suspended protections must be provided.

3. Atmospheric influences

Workers must be protected against atmospheric influences which could affect their health and safety.

4. Falling objects

Workers must be protected against falling objects, wherever is possible, by collective protective methods.

Materials and equipment must be located or stored in such a way as to avoid their collapsing or overturning.

Where necessary, there must be covered passageways or access to danger areas shall be locked.

5. Falls from a height

5.1. Falls from a height must be physically prevented in particular by means of protective and solid balustrades, which are sufficiently high and have at least an end-board, a main handrail and an intermediate handrail or an equivalent alternative device.

5.2. In principle, work at a height must be carried out only with appropriate equipment or using collective protection devices such as balustrades, platforms or safety nets.

Where, because of the nature of the works, the use of such equipment is not possible, suitable means of access must be provided and safety harnesses or other anchoring safety methods must be used.

6. Scaffolding and leaders

6.1. All scaffolding must be properly designed, constructed and maintained to ensure that it does not collapse or move accidentally.

6.2. Work platforms, gangways and scaffolding stairways must be constructed, dimensioned, protected and used in such a way as to prevent people from falling or being exposed to falling objects.

6.3. Scaffolding must be inspected by a competent person:

a) before being put into service;

b) at periodic intervals;

c) after any modification period without use, exposure to bad weather or seismic tremors, or any other circumstance which may have affected its strength or stability.

6.4. Ladders must be sufficiently strong and correctly maintained.

They must be correctly used, in appropriate places and in accordance with their intended purpose.

6.5. Mobile scaffolding must be secured against spontaneous movements.

7. Lifting equipment

7.1. All lifting installations and their accessories, including components parts and attachment elements, anchoring and supports, must be:

a) Properly designed and constructed and sufficiently strong for the use to which they are put;

- b) correctly installed and used;
- c) maintained in good working order;
- d) checked and subjected to periodic tests and inspections in accordance with current legislation;
- e) operated by qualified workers who have received appropriate training.

7.2. All lifting installations and all lifting accessories must have clearly labelled their maximum load value.

7.3. Lifting installations and accessories may not be used for other than their intended purposes.

8. Excavating and materials-handling vehicles and machinery

8.1. All excavating and materials-handling vehicles and machinery must be:

- a) properly designed and constructed taking account, as far as possible, of the principles of ergonomics;
- b) kept in good working order;
- c) used correctly.

8.2. Drivers and operators of excavating and materials-handling vehicles and machinery must have the necessary training.

8.3. Preventive measures must be taken to avoid falling into the excavations or into water of excavating and materials-handling vehicles and machinery.

8.4. Where appropriate, excavating machinery and materials-handling machinery must be fitted with structures to protect the driver against being crushed if the machine overturns, and against falling objects.

9. Installations, machinery, equipment

9.1. Installations, machinery and equipment, including hand tools whether power-driven or not, must be:

- a) properly designed and constructed taking accounts, as far as possible, of the principle of ergonomics;
- b) kept in good working order;
- c) used solely for the work for which they were designed;
- d) operated by workers who have received appropriate training.

9.2. Installations and equipment under pressure must be checked and subjected to regular tests and inspections.

10. Excavations, wells, underground works, tunnels and earthworks

10.1. Suitable precautions must be taken in an excavation, well, underground, working or tunnel:

- a) to prevent risks of burial by falling field, by using an appropriate support of embankment;
- b) to prevent hazards entailed in the fall of a person, materials or objects, or flooding;
- c) to provide sufficient ventilation at all workstations so as to create a breathable atmosphere which is not dangerous or harmful to health;

d) to enable workers to reach safety in the event of fire or inrush for water or falling of materials.

10.2. Before excavation starts, measures must be taken to identify and reduce to a minimum any hazard due to underground cables and other distribution systems.

10.3. Safe routes into and out of the excavation must be provided.

10.4. Piles of earth, materials and moving vehicles must be kept away from the excavation; appropriate barriers must be built if necessary.

11. Demolition work

Where the demolition of a building or construction may present dangers:

a) precautions measures, methods and adequate procedures must be adopted;

b) the work must be planned and undertaken only under the supervision of a competent person.

12. Metal or concrete frameworks, shuttering and heavy prefabricated components

12.1. Metal or concrete frameworks and their components, shuttering, prefabricated components or temporary support, and buttresses must be erected and dismantled only under the supervision of a competent person.

12.2. Adequate precaution measures must be provided to protect workers against dangers caused by the insecurity and temporary instability of a structure.

12.3. Shuttering, temporary supports and buttresses must be projected and calculated, installed and maintained so as to safely withstand, without any risk, any undertakings which may be placed on them.

13. Cofferdams and caissons

13.1. All cofferdams and caissons must be:

a) well constructed, from solid materials of adequate strength;

b) appropriately equipped so that workers can gain shelter in the event of an irruption of water and materials;

13.2. The construction, installation, transformation or dismantling of a cofferdam or caisson must take place only under the supervision of a competent person.

13.3. All cofferdams and caissons must be regularly checked by a competent person.

14. Work on roofs

14.1. To eliminate risks, including the ones due height or roof's slope, precaution collective measures must be taken to avoid falling of workers, tools and other objects or materials.

14.2. When workers need to work on a roof made of fragile materials, in their approach or any surface made of fragile materials that could provoke their falling, precaution measures must be taken for workers cannot move, by abstraction, on these surfaces and fall down.