

**Ordinance on Workplaces
(Workplaces Ordinance – ArbStättV)**

ArbStättV

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The purpose of this Ordinance is to implement

1. the EC Council Directive 89/654/EEC of 30 November 1989 concerning minimum safety and health requirements at the workplace (First Individual Directive within the meaning of article 16 (1) of the Directive 89/391/EEC) (OJ EC No. L 393 p.1) and
2. the Council Directive 92/58/EEC of 24 June 1992 concerning minimum requirements for the provision of safety and/or health signs at work (Ninth Individual Directive within the meaning of article 16 (1) of the Directive 89/391/EEC) (OJ EC No. L 245 p.23) and
3. annex IV (minimum requirements for safety and health on construction sites) of the Council Directive 95/57/EEC of 24 June 1992 concerning the implementation of minimum safety and health requirements at temporary or mobile construction sites (Eighth Individual Directive within the meaning of article 16 (1) of the Directive 89/391/EEC) (OJ EC No. L 245 p.6).

Footnote

Text citation validity as of: 25 August 2004

The Ordinance on Workplaces - ArbStättV was adopted as Article 1 of the Ordinance of 12 August 2004 (BGBl. I p. 2179) by the Federal Government and the Federal Ministry of Economics and Labour with the approval of the Bundesrat. It came into force in accordance with Article 4 sentence 1 of this Ordinance on 25.8.2004.

Official reference of the legislator to EU Law:

Implementation of

EWGRL 654/89 (CELEX No.: 389L0654)

EWGRL 58/92 (CELEX No.: 392L0058)

EWGRL 57/92 (CELEX No.: 392L0057)

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Section 1

Objective, Area of Application

(1) The purpose of the present ordinance is to ensure the safety and health of workers when workplaces are being set up and operated.

(2) The present ordinance does not apply to workplaces in companies which are governed by the Federal Mining Act and, with the exception of Section 5 and Annex No. 1.3, it does not apply

1. to the travel industry and market trading,

2. to means of transport where these are used for public transport,

3. to fields, forests and other areas belonging to an agricultural or forestry enterprise or which are outside its built-up area.

(3) The Federal Chancellery, the Federal Ministry of the Interior, the Federal Ministry of Transport, Building and Urban Affairs, the Federal Ministry of Defence or the Federal Ministry of Finance, where they are responsible in the relevant case and in consultation with the Federal Ministry of Labour and Social Affairs and, provided the Federal Ministry of the Interior is not itself responsible, in consultation with the Federal Ministry of the Interior, may permit exemptions to the provisions of this ordinance where public concerns make this urgently necessary, especially for the maintenance or restoration of public safety. In such a case it must be laid down at the same time how the safety and health of the workers under this ordinance are to be safeguarded in some other way.

Section 2

Definitions

(1) Workplaces are

1. places in buildings or outdoors which are located on the site of a company or a construction site and which are intended for use as workstations,

2. other places in buildings or outdoors which are located on the site of a company or a construction site and to which workers have access within the framework of their work.

(2) Workstations are areas of workplaces in which workers have to be present not only for a short time regularly over an extended period during the work they have to perform or in the course of their daily working hours.

(3) Working rooms are the rooms in which workstations are set up permanently within buildings.

(4) The workplace also encompasses:

1. traffic routes, escape routes, emergency exits,
2. storage, machine and secondary rooms,
3. sanitary rooms (changing rooms, washrooms and lavatories),
4. rest and standby rooms,
5. first-aid rooms,
6. accommodations.

Workplaces also encompass equipment where special requirements are set for such equipment in this ordinance and the equipment is used in the operation of the workplace.

(5) Setting up is the provision and fitting out of the workplace. The setting up encompasses in particular:

1. structural work measures or modifications,
2. equipping with machines, installations, furniture, other work equipment as well as lighting, ventilations, heating, fire extinguishing and supply systems,
3. laying down and marking of transport and escape routes, marking of hazard locations and fire-protection equipment,
4. establishing workstations.

(6) Operation of workplaces encompasses the use and maintenance of the workplace.

Section 3

Setting Up and Operating Workplaces

(1) The employer must ensure that workplaces are set up and operated in accordance with the provisions of the present ordinance including its annex in such a way that they are not the source of any hazards to the safety and health of workers. When doing this he must take into account the rules and knowledge published by the Federal Ministry of Labour and Social Affairs under section 7 subsection 4. In the observance of the rules and knowledge mentioned in sentence 2 it must be assumed that the requirements set in the ordinance in this respect are adhered to. If the employer does not apply the rules and knowledge he must achieve the same level of safety and the same health protection for workers by taking other measures.

(2) If the employer employs people with disabilities he must set up and operate the workplace in such a way that the special needs of these workers are considered with respect to safety and health. This applies in particular with regard to the barrier-free design of workstations and

related doors, traffic routes, escape routes, emergency exits, stairs, orientation systems, washing facilities and lavatories.

(3) The competent authority may, on written application from the employer, grant exemptions from the provisions of the present ordinance including its annex if

1. the employer takes other measures which are just as effective or
2. the implementation of the provision would in individual cases lead to unreasonable hardship and the nonconformity is compatible with the protection of the workers.

In the evaluation, the concerns of smaller companies in particular must be taken into account.

(4) Where other statutory provisions, especially the building regulations law of the Länder (Federal States), lay down requirements the present provisions shall not be affected by them.

Section 4

Special Requirements for the Operation of Workplaces

(1) The employer shall maintain the workplace and ensure that any defects found are rectified without delay. If defects which may involve a direct and major hazard are not rectified immediately, work must be suspended accordingly.

(2) The employer shall ensure that workplaces are cleaned in accordance with the hygienic needs. Contaminants and deposits which may lead to hazards must be removed without delay.

(3) The employer shall maintain safety devices for the prevention or elimination of hazards, in particular safety lights, fire extinguishers, signaling devices, emergency generators and emergency switches as well as ventilation installations at regular intervals and in a proper fashion and shall have them tested with respect to their serviceability.

(4) Traffic routes, escape routes and emergency exits must be kept constantly clear so that they can be used at all times. The employer shall take precautions to ensure that the workers can get to safety without delay and can be rescued quickly in the case of danger. The employer shall draw up an escape and rescue plan if the location, extension and nature of the use of the workplace render this necessary. The plan must be laid out or displayed at suitable points in the workplace. Exercises according to this plan must be carried out at reasonable intervals.

(5) The employer shall make available means and equipment for first aid and shall have these tested regularly to check that they are complete and usable.

Section 5

Protection of Non-smokers

(1) The employer shall take the necessary measures to ensure that non-smoking workers at workplaces are effectively safeguarded against health hazards due to tobacco smoke. Where necessary the employer shall lay down a general prohibition of smoking for the workplace or for individual areas a limited prohibition of smoking.

Unofficial Translation

(2) At workplaces to which members of the general public have access the employer shall only take protective measures under subsection 1 to the extent that the nature of the company and the type of employment permit.

Section 6

Working Rooms, Sanitary Rooms, Rest and Standby Rooms, First Aid Rooms, Accommodations

(1) The employer shall provide such working rooms which have an adequate floor area and height and adequate air space in the rooms.

(2) The employer shall provide lavatories. If the nature of the work or health reasons demand, washrooms must be provided. Suitable changing rooms must be made available if the workers have to wear special working clothes during their work and they cannot reasonably be expected to change in another room. Changing rooms, washrooms and lavatories must be fitted out separately for men and women or separate use must be facilitated. When workers work outdoors and on construction sites with only a few workers, washing facilities and lockable toilets are adequate.

(3) Where there are more than ten workers or if safety or health considerations demand, a rest room or an appropriate rest area must be made available to the workers. This does not apply if the workers are employed in offices or comparable working rooms and there they have equivalent conditions for recuperation during their break. If work standby periods or work interruptions occur regularly and frequently during working hours and if no rest rooms are available, rooms must be made available to the workers for standby periods. Pregnant women and nursing mothers must be able to lie down and rest under suitable conditions during breaks and, where necessary, also during working hours.

(4) First-aid rooms or comparable facilities must be available according to the accident hazards or the number of workers, the nature of activities performed and the spatial size of companies.

(5) For workers the employer shall provide accommodations if safety or health considerations, especially with regard to the nature of the activity performed or the number of persons employed in the company and the remoteness of the workplace demand this and if the employer does not provide compensatory facilities elsewhere.

(6) For sanitary, rest and standby rooms, first-aid rooms and accommodations according to subsections 2 to 5, subsection 1 shall apply accordingly.

Section 7

Committee for Workplaces

(1) At the Federal Ministry of Labour and Social Affairs a Committee for Workplaces shall be constituted, composed of the following expert members:

- 2 representatives of the private employer
 - 1 representatives of the public employer,
 - 3 representatives of the state authorities responsible for the Ordinance
 - 3 representatives of trade unions
 - 3 representatives of statutory accident insurance holders
 - 3 other expert persons, especially from the domain of science.
- Membership is honorary.

(2) The Federal Ministry of Labour and Social Affairs shall appoint the members of the Committee and a deputy member for each member, as much as possible based on suggestions of the associations and bodies. The Committee shall adopt rules of procedure and shall elect the chair from its midst. The rules of procedure and the election of the chair are subject to the approval of the Federal Ministry of Labour and Social Affairs.

(3) The Committee's tasks include:

1. the determination of rules which accord with the state of the art, occupational medicine and occupational hygiene and other sound knowledge according to the relevant Codes of Practice concerning the safety and health of workers in workplaces,
2. the determination of rules which make it possible to fulfil the requirements set in the present ordinance,
3. provision of advice to the Federal Ministry of Labour and Social Affairs in matters of safety and health at workplaces.

When performing its tasks the Committee shall take into account the general principles of occupational safety and health as per section 4 of the Occupational Safety and Health Act.

(4) The Federal Ministry of Labour and Social Affairs may publish the rules and knowledge in the Gemeinsames Ministerialblatt determined by the Committee in accordance with subsection 3.

(5) The Federal Ministries and the competent supreme Land (State) authorities may send representatives to attend the meetings of the Committee. If so requested, these shall be given the opportunity to speak during the meeting.

(6) The business of the Committee shall be conducted by the Federal Institute for Occupational Safety and Health.

Section 8

Transitional Regulations

(1) Where the present ordinance sets requirements for workplaces

1. which had been set up by 1 May 1976 or their setting up had commenced before this date or
2. which had been set up by 20 December 1996 or their setting up had commenced before this date and for which the Industrial Code (Gewerbeordnung) did not apply at the time they were set up,

and such requirements necessitate extensive changes to the workplace, the installations, working procedures or working sequences, only the corresponding requirements of annex II of the Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (OJ EC No. L 393 p. 1) shall apply to these. Where such workplaces or their installations are extended or converted to a major degree or the working procedures or working sequences undergo a major redesign, the employer shall take the necessary measures to ensure that these changes, extensions or redesign measures comply with the requirements of the present ordinance.

(2) The workplaces regulations published in the Bundesarbeitsblatt shall continue to apply until they have been revised by the Committee for Workplaces and corresponding rules have been published by the Federal Ministry of Labour and Social Affairs, but at the latest six years after this Ordinance enters into force.

Annex

Requirements for Workplaces according to Section 3 Subsection 1

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5 Additional requirements for special workplaces

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5.2 Additional requirements for construction sites

The following requirements apply in all cases where the features of the workplace or activity, the circumstances or the existence of a hazard to workers demand this.

The statutory regulations which impose requirements on the condition of work equipment in implementation of Article 95 of the EC Treaty are unaffected by this.

1 General requirements

1.1 Design and stability of buildings

Buildings for workplaces must have a design and stability suited for the type of use.

1.2 Dimensions of rooms and air space in rooms

(1) Working rooms must have an adequate floor area and an adequate height clearance as a function of the size of the floor area of the rooms to enable the workers to perform their work without any impairment of their safety, their health or their well-being.

(2) The dimensions of all other rooms shall be geared to the nature of their use.

(3) The size of the necessary air space in the room shall be fixed in relation to the nature of the physical strain and the number of workers and other persons present.

1.3 Safety and health signs

(1) Regardless of the following requirements safety and health signs shall be used when it is not possible to prevent or adequately limit hazards to safety and health of workers by technical or organizational measures. The results of the hazard assessment must be taken into account.

(2) The sign must be displayed clearly at appropriate points, according to the nature of the hazard permanently or temporarily in accordance with the specifications of the Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at the workplace (Ninth Individual Directive within the meaning of article 16 (1) of Directive 89/391/EEC) (OJ EC No. L 245 p.23). This Directive applies in its current version. If this Directive is amended or adapted to technical progress in accordance with the procedures provided for in this Directive, it shall apply in the amended version published in the Official Journal of the European Communities after the implementation period laid down in the amendment or adaptation directive has expired. The amended version can be applied as soon as the amendment or adaptation directive has come into force.

(3) Safety and health signs in the workplace or at the workstation shall be displayed in accordance with the state of the art. The state of the art, adjusted in accordance with technical progress, is given in the rules published according to section 7 subsection 4.

1.4 Energy distribution installations

Installations intended for the supply of energy to workplaces must be selected, installed and operated in such a way that the workers are protected against accident hazards due to direct or indirect contact with live parts and that the installations do not present any danger of fire or explosion. In the design and implementation and in the selection of material and protective devices the nature and intensity of the energy distributed, the external impact conditions and the expertise of the persons with access to parts of the installation must be taken into account.

1.5 Floors, walls, ceilings and roofs

(1) The surfaces of the floors, walls and ceilings must be such that they meet the needs of operation and are easy to clean. At workstations the workplaces must have adequate insulation against heat and cold and adequate insulation against moisture, bearing in mind the type of undertaking involved and the physical activity of the workers.

(2) The floors of the rooms must not have any bumps, holes, stumbling points or dangerous slopes. They must be fixed to prevent their movement, they must be stable, safe to walk on and not slippery.

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

(4) Access to roofs made of materials of insufficient strength must not be permitted unless equipment is provided to ensure that the work can be carried out in a safe manner.

1.6 Windows and skylights

(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 danger to workers.

(2) Windows and skylights must be selected or equipped and installed such that they can be cleaned without risk to the workers carrying out the work or to other persons.

1.7 Doors and gates

- (1) The position, number and dimensions of doors and gates, and the materials used in their construction, are determined by the nature and use of the rooms or areas.
- (2) Transparent doors must be appropriately marked at a conspicuous level.
- (3) Swing doors and gates must be transparent or have see-through panels.
- (4) If transparent or translucent surfaces in doors and gates are not made of safety material and if there is a danger that workers may be injured if a door or gate should shatter, the surfaces must be protected against breakage.
- (5) Sliding doors and gates must be fitted with a safety device to prevent them from being derailed and falling over. Doors and gates opening upwards must be fitted with a mechanism to prevent them against falling back.
- (6) Doors for pedestrians must be provided in the immediate vicinity of any gates intended essentially for vehicle traffic, unless it is safe for pedestrians to pass through; such doors must be clearly marked and left permanently unobstructed. These doors are not required if pedestrians can go through the gates without any danger.
- (7) Mechanical doors and gates must be such that they can be used safely. This means
 - a) that they can be moved without any danger to workers or can come to a standstill,
 - b) that they are fitted with automatic shut-down devices,
 - c) that they can also be opened manually, unless they open automatically in the event of a power failure.
- (8) Special requirements apply with respect to doors in the paths of escape routes (sub-paragraph 2.3).

1.8 Traffic routes

- (1) Traffic routes, including stairs, fixed ladders and loading bays and ramps, must be located and dimensioned to ensure easy, safe and appropriate access for pedestrians or vehicles in such a way as not to endanger persons employed in the vicinity of these traffic routes.
- (2) Traffic routes used for passenger transport traffic and/or goods traffic must be dimensioned in accordance with the number of potential users and the type of undertaking.
- (3) If means of transport are used on traffic routes, a sufficient safety clearance must be provided for pedestrians.

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

(5) Where the use and equipment of rooms so requires for the protection of workers, traffic routes must be clearly identified.

(6) Special requirements apply with respect to escape routes (sub-paragraph 2.3).

1.9 Escalators and moving walkways

Escalators and moving walkways must be selected and installed in such a way that they function safely and can be used with safety. This means that the emergency control devices must be easily recognizable and accessible and only escalators and moving walkways are used which are equipped with the necessary safety devices.

1.10 Loading bays and ramps

(1) Loading bays and ramps must be suitable for the dimensions of the means of transport and loads to be transported.

(2) They must have at least one exit point. Where technically feasible, loading bays and ramps over a certain length must have an exit point at each end.

(3) They must be easy and safe to use. This means that as far as possible they must be fitted with safety devices to prevent workers from falling off; this applies in particular in the vicinity of loading bays and ramps which are not permanent loading and unloading points.

1.11 Vertical ladders and step irons

Vertical ladders and step irons must be safe to use. This means

- a) that they must, where necessary, have safety devices to prevent workers from falling off, preferably in the form of climbing safety devices,
- b) that they have holding devices at their exit points,
- c) that, where necessary, rest platforms are fitted at appropriate intervals.

2 Measures to safeguard against special dangers

2.1 Safeguard against workers falling off and against falling objects, entry to danger areas

Workstations and traffic routes where there is a danger that workers may fall off or a risk of falling objects and which are adjacent to danger areas must be fitted with devices which prevent workers from falling off or from being injured by falling objects or from passing into the danger areas. Workstations and traffic routes according to sentence 1 must be secured to prevent unauthorized entry and must be identified as a danger area in a clearly visible way. Appropriate measures must be taken to protect those who have to enter these areas.

2.2 Measures to prevent fires

(1) Workplaces must be equipped with appropriate fire-fighting equipment and, as necessary, with fire detectors and alarm systems, depending on

- a) their dimensions and use,
- b) the fire hazard presented by existing equipment and materials,
- c) the maximum potential number of people present.

(2) Non-automatic fire-fighting equipment must be permanently identified as such, easily accessible and simple to use.

(3) Automatic fire-fighting equipment must be equipped with warning devices if their use may present a danger for workers.

2.3 Emergency routes and exits

(1) Emergency routes and exits must

- a) be geared in terms of their number, distribution and dimensions to their use, equipment and dimensions of the workplace and the maximum number of persons that may be present,
- b) lead as directly as possible to the outdoors or, if this is not possible, to a safe area,
- c) be permanently identified in an appropriate form.

They must be fitted with safety lighting if it cannot be guaranteed that workers can leave the workplace safely, especially if there is a failure of the general lighting.

(2) Doors in emergency routes or doors of emergency exits must

- a) be easy to open from inside without any special tools as long as workers are present in the workplace,
- b) be permanently identified in an appropriate form.

Doors of emergency exits must open outwards. In emergency exits it is not permitted to have revolving or sliding doors.

3 Working conditions

3.1 Movement area

(1) The free, uncluttered area at the workplace must be dimensioned in such a way that the workers can move without hindrance as they perform their work.

(2) If this is not possible another, sufficiently large movement area must be placed at the workers' disposal in the vicinity of their workstation.

3.2 Arrangement of workstations

Workstations must be arranged at the workplace in such a way that

- a) workers can reach and leave them safely,
- b) workers can go quickly to safety if there is any danger,
- c) workers are not put at risk by neighboring workstations, transport operations of external effects.

3.3 Equipment

Every worker must have at least a clothes cupboard where there are no changing rooms according to section 6 subsection 2 sentence 3.

3.4 Lighting and visual communication

- (1) Workplaces must as far as possible receive sufficient natural light and be equipped with artificial lighting adequate for the protection of workers' safety and health.
- (2) The lighting installations must be selected and arranged in such a way that they do not present any accident or health risks.
- (3) Workplaces at which workers are especially exposed to risks in the event of failure of artificial lighting must be provided with emergency lighting of adequate intensity.

3.5 Room temperature

- (1) In working, rest, standby, sanitary, canteen and first-aid rooms in which no specific requirements are set for room temperature from the point of view of the undertaking, there must be a room temperature conducive to health, bearing in mind working methods used, the physical strain on the workers and the specific use to which the room is put.
- (2) Windows, skylights and glass partitions must shield the workplace against excessive solar radiation, depending on the nature of the work and the workplace.

3.6 Ventilation

- (1) Steps shall be taken to see to it that there is sufficient fresh air conducive to health in enclosed workplaces, having regard to the working methods used and the physical demands placed on the workers and the number of workers and other persons present.
- (2) If an indoor ventilation system is necessary to operate workplaces, it must be in working order at all times. Any breakdown must be indicated by an automatic warning system. Precautions must be taken to ensure that workers are safeguarded against health hazards if there is a breakdown.
- (3) If air-conditioning or mechanical ventilation installations are used, it must be ensured that workers are not exposed to draughts which cause discomfort.
- (4) Any deposit or dirt likely to create an immediate danger to the health of workers by polluting the atmosphere must be removed without delay.

3.7 Noise

At workplaces the sound pressure level must be kept as low as possible given the nature of the undertaking. The sound pressure level at the workstation in working rooms may be up to 85 dB (A) maximum, taking into account noises from outside; to the extent it is not possible to comply to this sound pressure level, after possible noise reductions steps have been taken, it may be exceeded by up to 5 dB (A).

4 Sanitary rooms, rest and standby rooms, first-aid rooms, accommodations

4.1 Sanitary rooms

(1) Lavatories must be made available with lockable entrances, a sufficient number of toilet bowls and hand-washing facilities. They must be located both in the vicinity of workstations and in the vicinity of rest and standby rooms, and washrooms and changing rooms.

(2) Washrooms according to section 6 subsection 2 sentence 2

- a) must be installed in the vicinity of the workstations and must be concealed from general view,
- b) must be dimensioned in such a way that the workers can clean themselves in accordance with the hygienic requirements and without hindrance; for this purpose there must be hot and cold running water, soap and where necessary disinfectants as well as the means of drying hands.
- c) must be provided with an adequate number of suitable showers if the nature of the activity performed or health concerns demand.

If washrooms as described in section 6 subsection 2 sentence 2 are not required, there must be sufficient and appropriate washing facilities with running water (if necessary with hot water), soap and means of drying hands available in the vicinity of the workstation and changing rooms.

(3) Changing rooms according to section 6 subsection 2 sentence 3

- a) must be easily accessible, of adequate size and concealed from general view; there must be sufficient clear floor space available to facilitate unhindered changing in accordance with the number of people who will use the facilities at the same time,
- b) must be fitted with seating facilities and with lockers in which every worker can keep his clothes.

Clothes lockers for working clothes and protective clothing must be separate from clothes lockers for personal clothing and objects if the circumstances demand.

(4) Washrooms and changing rooms which are spatially separated must be easy to reach from one another.

4.2 Rest and standby rooms

(1) Rest rooms or corresponding rest areas according to section 6 subsection 3 sentence 1

- a) must be provided at a safe location which is easily accessible for workers and must be of adequate size,
- b) must be fitted with easy to clean tables and seats with back in accordance with the number of people who will use them at the same time,
- c) must be designed as separate rooms if an assessment of the working conditions and the workplace demands.

(2) Standby rooms according to section 6 subsection 3 sentence 3 and rest rooms used as standby rooms must be equipped to suit their purpose.

4.3 First-aid rooms

(1) First-aid rooms according to section 6 subsection 4 must be marked as such at their entrances and must be easily accessible for persons carrying rescue transport equipment.

(2) They must be fitted with essential first aid installations and equipment. The address and telephone number of the local rescue services must be displayed at a clearly marked point.

(3) First aid equipment must also be kept anywhere where working conditions dictate. It must be easily accessible and ready for use. The places where it is kept must be marked as such and must be easily accessible.

4.4 Accommodations

(1) Accommodations must be equipped with the following in accordance with the number of people occupying them:

a) a living and sleeping area (beds, cupboards, tables and chairs),

b) an eating area,

c) sanitary facilities.

(2) Where there are male and female workers using them, this must be taken into account when allocating the accommodations.

5 Additional requirements for special workplaces

5.1 Workplaces not enclosed on all sides and located outdoors

Workstations at workplaces which are not enclosed on all sides and which are outdoors must be designed in such a way that they can be reached, used and left again safely by the workers in all weather conditions and without any hazard to their health. This also means that workstations must be protected against inclement weather conditions or the workers must be provided with suitable personal protective equipment.

If the workers are employed at workstations outdoors, the workstations must be set up as far as possible in such a way that the workers are not exposed to effects from outside (gases, vapors, dust) which endanger health.

5.2 Additional requirements for construction sites

(1) The workers

- a) must be able to change their clothes, wash and warm themselves while protected against inclement weather conditions,
- b) must have facilities to enable them to take their meals and, where necessary, also to prepare such meals,
- c) must have at their disposal drinking water or another non-alcoholic beverage in the vicinity of the workstations.

Furthermore the following requirements must be implemented on construction sites:

- d) If changing rooms according to section 6 subsection 2 sentence 3 are not necessary, a clothes locker and lockable box must be available for every worker regularly employed on the construction site to enable the workers to keep personal items securely locked up.
- e) Bearing in mind the working procedures and physical strain on the workers it must be ensured that sufficient fresh air which is conducive to health is present.
- f) Workers must have the possibility of airing and drying working clothes and protective clothing outside working hours.
- g) At regular intervals suitable tests and exercises must be conducted on fire-fighting equipment and fire detection and alarm systems.

(2) Spatial limitations of workstations, materials, equipment and in general all elements which may adversely affect workers' safety and health by being moved must be stabilized in a suitable fashion. This also includes measures to prevent vehicles, earth-digging equipment and material handling equipment from falling, toppling over, slipping or collapsing.

(3) If means of transport are used on traffic routes a sufficient safety clearance or suitable protective devices must be provided for to protect other persons using the transport route. The routes must be regularly inspected and maintained.

(4) Where work is being performed which may give rise to hazards for workers to a particular high degree, suitable safety precautions must be taken. This applies in particular to demolition work and the erection or dismantling of solid construction components. To satisfy the requirements regarding protective measures in sentence 1 the following conditions must be fulfilled:

- a) In the case of work being performed at elevated or low-lying locations, the steadiness and stability of the workstations and their access must be ensured and inspected in a suitable way, especially after any change in the height or depth of the workstation's location.
- b) In the case of excavations, well digging work, underground work or tunneling, suitable shuttering or slopes must be provided for; before the commencement of earthwork suitable measures must be taken to identify any hazard due to cables laid underground and other supply lines and to reduce such hazards to a minimum.
- c) In the case of work where oxygen deficiency may arise, suitable measures must be taken to ward off any danger and to facilitate effective and immediate assistance; individual workstations in areas where there is an increased danger of oxygen deficiency are only permissible if they are constantly monitored from outside and all suitable precautions have been taken to facilitate effective and immediate assistance.
- d) Where sheet pilings and caissons are erected, moved or dismantled, appropriate devices must be provided for to ensure that workers can save themselves with ingress of water and material.
- e) In the case of loading bays and ramps anti-fall safeguards must be provided.

Demolition work and work on heavy solid construction components, especially the erection and dismantling of steel and concrete structures and the assembly and disassembly of sheet pilings and caissons, may only be planned and carried out under the supervision of authorized persons.

(5) Existing overhead electrical power cables must, as far as possible, be laid or connected outside the construction site. If this is not possible, suitable barriers, shields or signs must be installed to keep vehicles and equipment away from such lines.