

### What is a Code of Practice?

The term 'Code of Practice' has a particular meaning under the Victorian Occupational Health and Safety Act 1985. Other Codes of Practice, such as the advisory codes developed by the National Occupational Health and Safety Commission, voluntary codes agreed in an industry, or codes adopted by other states or countries do not come within the meaning of the term used in the Victorian Act.

The Victorian Occupational Health and Safety Act 1985 provides for Codes of Practice "for the purpose of providing practical guidance to employers, self-employed persons and employees, ...." (S.55[1]).

Codes of Practice are developed by the Victorian Occupational Health and Safety Commission with assistance from the Department of Labour. The Commission is made up of employer, union, expert and government representatives. The Commission recommends the Code of Practice to the Minister for Labour for approval after a period of public review of the draft, and consideration of any comment received.

A Code of Practice approved by the Minister for Labour comes into effect when "notice of approval is published in the Government Gazette or on such later day as may be specified in the notice, ....." (S.55(6)).

A Code of Practice does not have the same legal force as Regulations. Contravention of, or failure to comply with, Regulations made under the Act is an offence (S.47[1]). Failure to observe a provision of an approved Code of Practice is not in itself a breach of the Act (S.55[S]).

However, in proceedings under the Act, where it is alleged that a person contravened or failed to comply with a provision of the Act or the regulations, a Act or regulations was achieved in some way other than that provided in the approved Code of Practice (S.56).

A Health and Safety Representative is able to cite an approved Code of Practice in a Provisional Improvement Notice as a means by which the alleged non-compliance may be overcome. Similarly, an Inspector may cite an approved Code of Practice together with the relevant Section of the Act or regulations when issuing an Improvement Notice or Prohibition Notice.

In situations where it is impracticable to comply with the literal provisions of a Code, the employer must be able to show that an equivalent or better level of health and safety results from the alternative action taken. In summary, an approved Code of Practice:

- provides practical guidance;
- should be followed, unless there is another solution which achieves the same result, or a better solution;
- is able to be used in support of the Act's preventive enforcement provisions; and
- can be used to support prosecution.

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## Introduction

### Authority

This Code of Practice is approved pursuant to Section 55 of the Occupational Health and Safety Act 1985.

The Act requires an employer, among other things, to ‘provide and maintain so far as is practicable for employees a working environment that is safe and without risks to health’.

### Purpose

The purpose of this Code of Practice is to provide practical guidance for the provision of amenities, facilities, safety helmets and first aid on building and construction sites, and for maintaining building and construction workplaces in a safe and healthy condition.

### Exclusions

- Housing Construction
- This code does not apply to housing construction: that is, the construction or refurbishment of individual premises designed for private residence, but does apply to such housing construction if part of a multiple housing estate project; and
- Civil Construction
- This code does not cover mobile or short-term civil construction projects where six people or less are expected to be working on the project.

### Operation

This code of practice is approved to operate from 1st October, 1990.

### Scope

This code of practice covers the provision on building and construction sites of:

- facilities for meals, clothing and shelter;
- facilities for sanitation and washing;
- facilities for storage;
- personal protective equipment, including the wearing and maintenance of safety helmets;
- facilities for first aid and emergency;
- precautions against drowning;
- procedures while working in remote locations; and
- means of access and egress..

Another Code, the Code of Practice for Workplaces provides guidance to employers in relation to workplaces other than building and construction sites.

## 1. Provision of Facilities

- 1.1** At any building or construction site, the principal contractor should ensure that facilities are provided for shelter from inclement weather, changing, and protection of clothing and eating of meals. Attention should be given at the planning stage to the location of facilities so as to ensure minimum disruption to the operations of the site.
- 1.2** These facilities should not be used for storage of materials or for any purpose other than that described. The Dangerous Goods (Storage and Handling) Regulations specify requirements for storage of flammable liquids, solids, gases and other dangerous goods.

- 1.3** Enclosure for the facilities should be of sound construction, weatherproof, and should have:
- (a) a floor above ground level, or be situated and constructed so as to prevent flooding;
  - (b) a lined ceiling and walls;
  - (c) adequate ventilation and lighting;
  - (d) sufficient windows fitted with fly screens; and
  - (e) washable vinyl floor surfaces.
- 1.4** The facilities should be of sufficient area to provide not less than 0.75 of a square metre of floor area, exclusive of benches with sinks and refrigerators, for each person working on the site at any one time and in no case should be:
- (a) less than 4.65 square metres where there are four or less employees; or
  - (b) less than 9 square metres where five or more employees are working at any one time and it appears that the building operation will take at least two weeks to complete; and
  - (c) not less than 1.0 square metre for each person working on the site where more than 20 employees are working at any one time, and accommodation for eating of meals is not provided separately from accommodation for other purposes.
- 2. Clothes and changing facilities**
- 2.1** The facilities should include:
- (a) adequate secure facilities for hanging employees' clothing;
  - (b) adequate facilities for drying clothes; and
  - (c) changing facilities where the nature of the work performed requires the employee to change clothes. Separate changing facilities should be provided where twenty or more employees are working at any time on the site. A clear space of not less than 0.5 of a square metre for each person changing clothes at any one time should be allowed in calculating the size of the changing facility required. This space should be in addition to that required for lockers or other facilities. Heating such as strip heaters should be provided. Where both males and females are employed at the site and separate changing facilities are not provided, changing rooms with enclosures or compartments that can reasonably and with privacy be used by persons of either sex should be provided. A suitable bench or seat should also be provided to allow a person to sit when dressing or undressing.
- 2.2** Adequate secure facilities should be provided to accommodate employees' personal belongings. These facilities should be locked and supervised during working hours.
- 3. Dining facilities**
- Adequate facilities for taking meals, including sufficient tables and chairs and facilities for warming food should be provided. Facilities should also be provided for an adequate supply of boiling water at meal times and rest periods. Separate vermin proof containers should be provided for the storage of food and rubbish.
- 4. Drinking water**
- 4.1** A supply of drinking water is required to be available at the workplace. The water should be cool, clean and drinkable. The facility is required to be separate from sanitary and hand washing facilities.
- 4.2** Where a connection to a water supply is not possible, supply may be provided by other means such as a flask, cooled drink dispenser or waterbag. The most appropriate method should be selected.
- 4.3** Drinking points should be placed where they will service most people requiring them. Employers should provide additional drinking points near hot or strenuous work stations, such as exposed form work decks.

**4.4** Drinking water should be readily accessible to any employee working on the site. Where the building operation extends over many storeys, the drinking water points should be located at least at each fifth floor so that no one has to walk more than two floors to a drinking point.

**5. Washing facilities**

**5.1** Where there is a risk of contact with harmful substances, an immediately accessible eye bath should be provided. Where the nature of the operation involves a risk that requires it, a drench shower should be provided.

**5.2** Mirrors should be provided and located in a position convenient to the employees using wash rooms.

**5.3** Adequate drying facilities should be supplied with hand washing facilities. Soap or cleaning agents should be provided.

**6. Showers**

**6.1** Principal contractors should consider providing showers on major sites where the nature of the work causes the workers to require a shower, such as where processes are particularly dusty or hazardous. The number of showers should be determined having regard to the number of workers involved in those work processes who require showers at any one time. Portable shower units should be provided to service areas remote from fixed facilities, for example, an upper floor on demolition processes where fixed services have been cut off.

**6.2** Soap, or a cleaning agent should be provided with shower facilities. Any cleaning agent provided for employees should be of a type that will safely remove any unwanted substance with which an employee may come into contact. Industrial solvents or substances which may be injurious to health or well-being should not be used for washing.

**7. Sanitary facilities**

**7.1** The principal contractor should ensure that sanitary facilities are provided at each site.

The facilities should comprise closets, urinals, and where females are employed, sanitary disposal units.

The facilities should be connected to a sewerage system.

Where it is not practicable to connect the sanitary facilities to a sewerage system, flushing chemical toilets or an equivalent should be used, for example, portable water seal toilets.

The provision of pan type closets or straight drop toilets should be avoided. Closets should be soundly constructed, weatherproof and be provided with adequate lighting and ventilation.

Each closet should be well drained and should have a floor constructed of, or covered with, a durable impervious material and situated at least 75 millimetres above the surrounding ground level.

Each closet should be provided with lift seats and flaps, toilet paper and a hinged door capable of being fastened from the inside when shut.

Each closet and urinal should be washed with disinfectant at least daily and should generally be kept in a clean and tidy condition.

Sanitary disposal units should be regularly serviced.

- 7.2** Sanitary facilities should be located so as to be conveniently accessible to employees working on the site, but not so close to the work location as to cause a nuisance to those employees.

Where the building operation extends over many storeys, the sanitary facilities should be located at least at each fifth floor so that no-one has to walk more than two floors to reach sanitary facilities.

- 7.3** The number of closets and urinals to be provided should be in accordance with the following scale:

(a) where not more than 100 employees are working at the site at any one time:

Employees	No of Closets	No of Urinals
1 - 5	1	Nil
6 - 10	1	1
11 - 20	2	2
21 - 35	3	4
36 - 50	4	6
51 - 75	5	7
76 - 100	6	8

Note: For the purpose of this formula a closet can be substituted in place of a urinal.

(b) where more than 100 but not more than 200 persons are employed on the site at any one time, the number of closets and urinals required to be provided for each additional 20 persons, is one additional closet and one additional urinal; and

(c) where more than 200 persons are employed on the site at any one time, the number of closets and urinals required to be provided, is one additional closet and one additional urinal for each 35 additional persons.

Where a slab urinal is provided, each 600 millimetres can be regarded as one urinal.

- 7.4** Where both males and females are employed at the site and the total number of employees exceeds ten, separate sanitary facilities should be provided.

In the case of toilets for female use, the allocation for urinals should be replaced by closets and at least one in three closets should be provided with a sanitary disposal unit.

Where both males and females are employed at a site and the total number of employees does not exceed ten, there may be a facility for use by males and females provided that:

- (a) the closet can reasonably and with privacy be used by persons of either sex; and  
(b) the closet contains a sanitary disposal unit.

## **8. Other facilities**

- 8.1** Where the employee is required to change clothes and wear special protective clothing to work with toxic or dangerous substances, an appropriate facility for decontamination, separate from other sanitary and washing accommodation, should be provided. In these cases change room facilities should be duplicated, and storage provided for protective clothing in one room and for personal clothing in the other. Protective clothing and personal clothing should not come into contact with each other or be stored in the same facilities. Protective clothing and work clothing which has become wet by the process of decontamination should be stored in a separate, well-ventilated area.

**9. Provision and storage of personal protective equipment**

- 9.1** There are various regulations to control hazards in the workplace. All these regulations specify that the hazard should be either eliminated or reduced by design or engineering methods as a first priority. When the control of hazards cannot be achieved by other means, the employer should provide personal protective equipment which is appropriate to the particular hazard. All personal protective equipment provided should comply with relevant Australian Standards (e.g. Respiratory Protective Devices, AS 1716).

The employer should ensure that employees provided with personal protective equipment are instructed and trained in the proper use of, fit testing, maintenance and care of that equipment. The employer should ensure that personal protective equipment is periodically inspected and maintained and its working life determined by the relevant standards (e.g. The Selection, Use and Maintenance of Respiratory Protective Devices, AS 1715).

An employer should not provide personal protective equipment which has been worn by another person unless the equipment has been cleaned, disinfected and fitted with new components.

A person to whom personal protective equipment has been issued and who has been instructed in its use should take all reasonable care to keep it in good order and condition. If any equipment is damaged or defective in any way, it should be reported and replaced immediately.

- 9.2** Secure and appropriate storage should be provided for prospective gear, separate from personal clothing storage.

**10. Safety helmets**

Safety helmets should be provided by the employer and worn by the employees on any site where:

- (a) any employee is working below other persons; or
- (b) there is a likelihood of any person being struck by or striking an object.

All safety helmets provided should comply with the Australian Standard specification for Industrial Safety Helmets, AS 1801. The employer should ensure that safety helmets are periodically inspected and maintained and their working life determined by the standards set in the Australian Standard AS 1800, Selection, Care and Use of Industrial Safety Helmets.

Helmets kept on site for the use of visitors may be re-used without the need for changing the sweat band, chin strap and crown pad, provided that the helmets are kept clean and regularly disinfected.

On any site where circumstances such as those described above may arise, the Occupier should cause a notice to be displayed at each main entrance to the site.

The sign should display the following words in letters not less than 75 millimetres in height:

**SAFETY HELMET AREA  
HELMETS MUST BE WORN BEYOND THIS POINT**

**11. Road safety apparel**

**11.1** Where road safety apparel is provided by the employer, such apparel should:

- (a) be made of material that has a fast conspicuous colour, is of low flammability and does not inhibit natural ventilation;
- (b) be kept clean and in good repair by the employer, and
- (c) be worn in a manner that provides the drivers of oncoming vehicles with maximum visual warning of the presence of the person wearing the road safety apparel.

**11.2** Where work is carried out during hours of darkness, road safety apparel provided in accordance with this code must be of the reflective type or be adequately provided with reflective material patches.

**12. First aid facilities**

The facilities provided and the training of persons for first aid should be in accordance with the Code of Practice for First Aid in the Workplace approved under the Occupational Health and Safety Act 1985 and having effect from 1 July, 1988.

**13. Precautions against drowning**

**13.1** When work is carried on near any place where there is a risk of drowning, provision should be made for rescue and first aid to any person in danger, and should include the following:

- (a) persons should not work alone in such situations;
- (b) a person with first aid training and competent in cardio - pulmonary resuscitation (CPR) should be present;
- (c) a life ring with line attached of sufficient length to reach the water plus 10 metres should be secured in a readily accessible location. Where the work may be carried on during darkness, the life ring should be fitted with automatic lighting. Where the work may be done during darkness in Victorian coastal waters, the life ring should also be fitted with an EPIRB (radio beacon);
- (d) precautions against falling should be taken e.g. safety nets or safety harnesses conforming to Australian Standards should be provided and used; and
- (e) tool belts should be of quick release type.

**13.2** Where the work is to be carried out from a vessel which is afloat, the vessel is required to be equipped with the minimum safety equipment required by the Victorian Boating Regulations 1988, which include an Australian Standard approved life jacket fitted with SOLAS grade high intensity retro-reflective tape, to be provided for each person aboard

**14. Remote locations**

Where work is to be carried out at a remote location, communication provision should be made to facilitate access to medical aid if necessary. The employer should ensure that employees working in remote locations are adequately trained in the use of the communication systems provided.

**15. Exit and entry points**

The employer should ensure that:

- (a) all exits are marked and signs are posted to show the direction to exit doors, to aid evacuation in an emergency;
- (b) all aisles, exits, passageways, gang-ways, staircases and steps, and any other access areas are free from obstruction; and
- (c) all plant, equipment, structures and materials are located to enable:
  - safe access for employees to where they may be required to work; and
  - unrestricted emergency exit from any place where an employee may be required to work.

**16. Cleanliness**

The employer should ensure that the workplace is maintained in a clean condition. Regular cleaning should be undertaken to ensure that:

- (a) refuse and waste is removed at least daily from floors, stairways, and passageways;
- (b) the floors of dining rooms and dining areas are cleaned daily and washed and disinfected at least once a week, and dining tables are wiped down after each meal period;
- (c) change rooms are cleaned at least once each day and washed down and disinfected at least once a week, and
- (d) any showers, sanitary and washing accommodation are sanitised each day they are used.

**17. Fire prevention**

The employer should take all appropriate measures to:

- (a) prevent the risk of fire;
- (b) combat quickly and efficiently any outbreak of fire; and
- (c) quickly and safely evacuate people in the event of fire.

**18. Lighting**

**18.1** Where there is inadequate natural light, artificial lighting in work areas should be sufficient to allow the work to be performed safely. Individual, or task lights may be used to improve the intensity of light in these areas if the natural or artificial lighting is insufficient.

**18.2** Where work or amenities areas do not have natural daylight, sufficient battery powered evacuation lighting should be installed to allow safe exit from those areas in the event of emergency. Where no-one is working in an area, emergency lighting need not be provided while that area is effectively barricaded to prevent entry. The battery powered emergency lights should operate automatically during a loss of power supply to the normal lighting in the area, and be designed to operate for a minimum of one hour following loss of supply.