



**DRAFT**

# Code of Practice

## **FACILITIES FOR CONSTRUCTION SITES**



**safe work australia**

## Table of Contents

<b>FOREWORD .....</b>	<b>3</b>
<b>PURPOSE .....</b>	<b>3</b>
<b>SCOPE .....</b>	<b>4</b>
<b>1. INTRODUCTION .....</b>	<b>5</b>
1.1 Who should use this Code? .....	5
1.2 What are the health and safety duties when providing facilities? .....	5
<b>2. PLANNING AND PREPARATION .....</b>	<b>7</b>
<b>3. FACILITIES FOR THE DIFFERENT TYPES OF WORKPLACES .....</b>	<b>9</b>
<b>4. TYPES OF FACILITIES.....</b>	<b>10</b>
4.1 Change rooms .....	10
4.2 Meal rooms .....	10
4.3 Toilets .....	11
4.4 Washing facilities .....	12
4.5 Showers.....	12
4.6 Drinking water.....	12
4.7 Facilities for the safe keeping of tools and personal belongings .....	13

## FOREWORD

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This Code of Practice (this Code) on providing facilities for construction sites is an approved code of practice under section 274 of the *Work Health and Safety Act* (the WHS Act).

An approved code of practice is a practical guide to achieving the standards of health, safety and welfare required under the WHS Act and the Work Health and Safety Regulations (the WHS Regulations).

A code of practice applies to anyone who has a duty of care in the circumstances described in the code. In most cases, following an approved code of practice would achieve compliance with the health and safety duties in the WHS Act, in relation to the subject matter of the code. Like regulations, codes of practice deal with particular issues and do not cover all hazards or risks which may arise. The health and safety duties require duty holders to consider all risks associated with work, not only those for which regulations and codes of practice exist.

Codes of practice are admissible in court proceedings under the WHS Act and Regulations. Courts may regard a code of practice as evidence of what is known about a hazard, risk or control and may rely on the code in determining what is reasonably practicable in the circumstances to which the code relates.

The WHS Act and Regulations may be complied with by following another method, such as a technical or an industry standard, if it provides an equivalent or higher standard of work health and safety than the code.

An inspector may refer to an approved code of practice when issuing an improvement or prohibition notice.

This Code of Practice has been developed by Safe Work Australia as a model code of practice under the Council of Australian Governments' *Inter-Governmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety* for adoption by the Commonwealth, state and territory governments.

A draft of this Code of Practice was released for public consultation on 7 December 2010 and was endorsed by the Workplace Relations Ministers Council on [to be completed].

### ***How to use this code of practice***

This Code includes references to both mandatory and non-mandatory actions. The references to legal requirements contained in the WHS Act and the [draft] WHS Regulations (highlighted in text boxes in this Code) are not exhaustive and are included for context only.

The words 'must', 'requires' or 'mandatory' indicate that legal requirements exist, which must be complied with.

The word 'should' indicates a recommended course of action, while 'may' indicates an optional course of action.

## PURPOSE

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This Code provides practical guidance for persons who have work health and safety duties under the WHS Act and the [draft] WHS Regulations to provide and maintain facilities for the welfare of workers engaged to carry out construction work.

## SCOPE

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This Code sets out the minimum standard of facilities for persons engaged to carry out construction work or activities connected with construction work.

This Code provides practical guidance on the following type of welfare facilities:

- change rooms
- meal rooms
- toilets and sanitation
- washing
- showers
- drinking water, and
- storage for tools and personal belongings.

Guidance on providing and maintaining a safe and healthy work environment and facilities for workplaces generally is available in the *Code of Practice: Managing the Work Environment and Facilities*.

## 1. INTRODUCTION

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### 1.1 Who should use this Code?

You should use this Code if you have duties to ensure health and safety under the WHS Act and Regulations as a person conducting a business or undertaking of a workplace where construction work is carried out, whether you are an employer, self-employed, or a principal contractor at the workplace.

The information in this Code will help you ensure that facilities provided for the welfare of workers are adequate. This Code can also be used by workers and their health and safety representatives.

### 1.2 What are the health and safety duties when providing facilities?

Providing a safe and healthy work environment and adequate facilities that your workers can access while at work is a legal requirement. The WHS Regulations place more specific obligations on a person conducting a business or undertaking in relation to providing facilities for the welfare of workers, and include special provisions for principal contractors for a 'construction project'.

The WHS Act requires all persons who conduct a business or undertaking to ensure, so far as is reasonably practicable, that workers and other persons at the workplace are not put at risk from work carried out as part of the business or undertaking. This duty includes ensuring the provision of adequate facilities for the welfare of workers who carry out work for the business or undertaking, including ensuring access to those facilities.

The [draft] WHS Regulations require a person conducting a business or undertaking to provide and maintain adequate and accessible facilities for workers, including toilets, drinking water, washing facilities and eating facilities.

The [draft] WHS Regulations also make special provision for principal contractors for a 'construction project', for example, principal contractors must ensure the health and safety of all workers working on the construction project and prepare a WHS management plan for the project where the cost of the project is \$200 000 or more.

Deciding what is 'reasonably practicable' to protect people from harm requires weighing up certain matters, such as the likelihood of a hazard or risk occurring and the degree of harm that would result, and then making a judgment about what is reasonable in the circumstances.

#### **Consultation with workers**

When making decisions about the adequacy of facilities, you must consult so far as is reasonably practicable with your affected workers and their health and safety representatives. Consultation is not only a legal requirement, but is a critical part of managing work health and safety risks.

The WHS Act requires that you consult, so far as is reasonably practicable, with workers who carry out work for you who are (or are likely to be) directly affected by a matter relating to work health or safety.

If your workers are represented by a health and safety representative, the consultation must involve that representative.

In many cases, decisions about construction facilities are made prior to engaging workers, therefore, it may not be possible to consult with workers at all times. However, it is still important for you to periodically consult your workers and their health and safety representatives to find out

whether the facilities are meeting their needs. This will help you determine if you need to change or expand your facilities.

If you are a principal contractor for a 'construction project' you will need to consult, so far as is reasonably practicable, with all workers at the site who are (or are likely to be) directly affected by a matter relating to work health or safety.

### ***Consulting, co-operating and co-ordinating activities***

The WHS Act requires that you consult, co-operate and co-ordinate activities with all other persons who have a work health or safety duty in relation to the same matter, so far as is reasonably practicable.

Consulting, co-operating and co-ordinating activities is a key duty for all persons conducting a business or undertaking at a site where construction work is being carried out. Because all persons conducting a business or undertaking are required to ensure their workers are provided with accessible, adequate welfare facilities, some co-ordination may be required between them to ensure that the required facilities are provided in an efficient way.

If there is a principal contractor for a 'construction project', they will have responsibility for putting arrangements in place to ensure compliance at the workplace with certain work health and safety duties, including the duty to provide and maintain adequate facilities under the [draft] WHS Regulations.

The following example demonstrates how a principal contractor for a 'construction project' can go about making arrangements for the provision of accessible, adequate construction facilities at the workplace:

A large construction company is the principal contractor for a proposed multi-storey complex that will include both residential and commercial premises when complete. The project will involve construction work which will cost well over \$200 000, and the principal contractor expects there to be multiple persons conducting a business or undertaking and workers present at the site on any given day.

The principal contractor has a duty to ensure, so far as is reasonably practicable, the health and safety of all workers at the site.

In making decisions about welfare facilities, the principal contractor will need to consult, co-operate and co-ordinate activities with all other persons conducting a business or undertaking working on the project. Consultation will need to involve any workers at the workplace who are directly affected (or likely to be directly affected) by the proposed decisions.

In carrying out consultation, the principal contractor would need to consider all relevant factors including the number and gender of workers likely to be present at the site at the relevant time(s).

Decisions about the provision and maintenance of construction facilities must only be made after the required consultation is concluded.

The principal contractor will also need to put arrangements in place to ensure that workers at the workplace are provided with accessible, adequate facilities that comply with the [draft] WHS Regulations. This will include monitoring welfare facilities at the site to ensure that construction facilities meet these requirements at all stages of the construction project.

## 2. PLANNING AND PREPARATION

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The number of workers at the workplace will influence the size and type of facilities required. Facilities need to ensure adequate privacy and security for the needs of male and female workers. Consideration of workers with special needs or disabilities should also be addressed in the choice and design of facilities.

At the planning stage of each construction project, the person responsible for facilities on site should plan for the following:

- the provision of the type of amenities required as determined by the type of workplace.
- the safe and convenient location of amenities.

Facilities for all types of workplaces must be kept in a clean and hygienic condition. You should ensure that any facilities provided also meet the following conditions:

- be of sound construction and weather-proof
- have adequate ventilation, heating, cooling and lighting
- be protected against insects and other vermin, and
- be appropriately insulated against weather conditions.

Waste water from facilities should be adequately discharged to ensure hygiene and safety.

Facilities should have an adequate supply of cleaning equipment and accessories, including soap, hand drying facilities, toilet paper, cleaning agents, mops and brooms.

All facility areas should be positioned or constructed to prevent external flooding and allow safe access for disabled people, if required.

Access to all facilities should be kept clear at all times.

Facilities should not be used for the storage of any building materials or equipment, with the exception of workers' personal work tools and protective equipment.

All power supplied to facilities should comply with the relevant supply authority rules and the [draft] WHS Regulations and be consistent with relevant standards and practices.

Adequate lighting (natural or artificial) should be provided for safe access.

Where change rooms and meal rooms are provided, they should be separate or separated by an internal wall.

For the purpose of this Code, workplaces are divided into four types set out in Table 1 below. The types of facilities needed for each type of workplace is outlined in Chapters 3 and 4 of this Code.

**Table 1: Type of workplace**

<b>Type 1</b> Major construction	This is usually a fixed location where there are more than 10 people or the duration of work is more than two consecutive weeks. For example, commercial building, engineering construction or multiple residential construction. For housing construction, see Type 4.
<b>Type 2</b> Workers working away from base	This is a workplace for workers who start and finish work at a base. For example, council, road or rail workers, or workers who receive daily work by telecommunication (as in road maintenance or other public utility work in remote areas).
<b>Type 3</b> Minor construction	This is usually a fixed location where there are less than 10 people or the duration of the work is less than two consecutive weeks. For example, minor building, road construction or maintenance.
<b>Type 4</b> Building alterations (with access to facilities)	This is usually a fixed location with reasonable access to existing building facilities, for example, fit-outs, alterations and extensions.
<b>Type 5</b> Housing construction sites	This is usually a workplace where there is construction, renovation or extension of: <ul style="list-style-type: none"><li>• detached houses</li><li>• attached dwellings, separated from each other by a fire resisting wall, such as terrace, row or town houses</li><li>• boarding and guest houses, hostels or similar with the floor area &lt;300 metres squared ancillary buildings to the above, such as private garages, gazebos and carports.</li></ul>

### 3. FACILITIES FOR THE DIFFERENT TYPES OF WORKPLACES

The following table summarises the facilities that should be provided for each type of workplace. Refer to the sections as indicated in the table for more detail.

Type of workplace	Change rooms	Meal rooms	Toilets	Washing/showers	Drinking water	Tools/Personal belongings
<b>Type 1 Major construction</b>	As specified in section 4.1 of this Code	As specified in section 4.2 of this Code	As specified in section 4.3 of this Code	As specified in sections 4.4 and 4.5 of this Code	As specified in section 4.6 of this Code	As specified in section 4.7 of this Code
<b>Type 2 Working away from base</b>	Ensure facilities are at the base. Alternatively, provide reasonable access to change rooms. Mobile facilities, e.g. a caravan, may be provided	Provide reasonable access to a meal facility. Alternatively, provide mobile facilities, e.g. a caravan	Provide access to toilet(s), or provide access to portable toilet(s) as specified in section 4.3 of this Code	Ensure facilities are provided at the base. Provide or arrange access to hand washing facilities	As specified in section 4.6 of this Code	Provide lockable chests for the security of personal belongings and tools
<b>Type 3 Minor construction</b>	Provide change rooms if required by the type of work or as determined to be reasonably practicable. Alternatively, provide mobile facilities, e.g. a caravan	Provide reasonable access to a meal facility if no existing dining facilities are close by. Alternatively, provide mobile facilities, e.g. a caravan	Provide access to at least one sewered, septic or portable toilet as specified in section 4.3 of this Code	Provide access to hand washing and shower facilities if work required showering. Alternatively, provide mobile facilities, e.g. a caravan with these facilities	As specified in section 4.6 of this Code	Provide lockable chests for the security of personal belongings and tools
<b>Type 4 Building alterations</b>	Provide access to existing facilities. If not available, type 1 or type 3 workplace provisions apply, depending on the size of construction	Provide access to existing facilities. If not available, type 1 or type 3 workplace provisions apply, depending on the size of construction	Provide access to existing facilities. If not available, type 1 or type 3 workplace provisions apply, depending on the size of construction	Provide access to existing facilities. If not available, type 1 or type 3 workplace provisions apply, depending on the size of construction	As specified in section 4.6 of this Code	Type 1 or type 3 workplace provisions apply depending on the size of the construction
<b>Type 5 Housing construction</b>	Not applicable	Provide access to meal and shelter facilities including seating, a clean surface to place food on and a rubbish bin.	Provide access to at least one sewered, septic or portable toilet as specified in section 4.3 of this Code.	Provide access to hand washing as well as clean water and soap.	As specified in section 4.6 of this Code	Not applicable

## 4. TYPES OF FACILITIES

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All facilities covered in this Chapter should be provided for Type 1 workplaces. The provision of facilities listed in this Chapter is subject to the availability of power and services. If the connection to power and services is not reasonably practicable, alternative arrangements should be negotiated between yourself, your workers and their health and safety representatives.

### 4.1 Change rooms

- Change rooms should be provided if the type of work, location of work or the workers require clothes to be changed.
- Dedicated change rooms should be provided for the exclusive use of workers.
- If male and female workers need to change at the same time, separate male and female changing rooms need to be provided with adequate privacy, for example, providing suitable enclosures or compartments. Change rooms should be clearly marked where separate change rooms are provided for males and females.
- The change room area should have a minimum floor area of 0.5 metres squared (m<sup>2</sup>) for each person changing clothes at any one time. The floor area includes bench seating, but excludes floor occupied by furniture, fittings, fixed storage space, or any other permanently fixed items.
- Suitable bench seating in all change rooms to be at least 400 millimetres (mm) wide and 460mm in length for each person using the room at any one time.
- Adequate number of secure hooks should be provided for hanging clothes and be spaced at least 460mm apart. Where appropriate to the type of work being carried out, additional hooks for hanging up personal work tools should be provided.
- Clothes drying facilities should be provided where appropriate to the type of work being carried out.

### 4.2 Meal rooms

- Adequate numbers of suitable tables and seating should be provided for eating meals.
- Tables of sturdy construction should be provided and of a length calculated at 560mm for each person using the facility at any one time.
- Seating should be either chairs or benches 400mm wide x 560mm long for each person.
- The floor area provided should be at a rate of at least 1m<sup>2</sup> of floor space for each person using the room at any one time. This space includes space occupied by any tables and seating, but excludes fixtures and appliances.
- Meal rooms should be free of construction related dust and odours, and should have appropriate ventilation and temperature control systems such as:
  - reverse-cycle air conditioning
  - cooling fans or heaters, and
  - flow through ventilation.
- A refrigerator(s) of adequate size should be provided in each meal room to store perishable foods for all persons using the meal room.
- An adequate supply of boiling water for hot drinks should be provided.
- Food warming facilities of adequate size should be provided in each meal room.

- A sink unit of adequate size, with a supply of clean water, should be provided in each meal room.
- A suitable space or shelves for storage of workers' provisions should be provided, including for utensils and food.
- Garbage bins, with removable liners and secure lids should be provided. Bins should be emptied daily or more frequently if required.

### 4.3 Toilets

- Toilets should be located as close as practicable to the workplace and/or facilities.
- The number of toilets provided should be at a ratio of at least one for each ten (10) people or a fraction of 10 people.
- Separate toilets should be provided in workplaces where there are both male and female workers. However, one unisex toilet may be provided in workplaces with both male and female workers where:
  - the total number of people who normally work at the workplace is 10 or fewer
  - there are two or fewer workers of one gender.

*For example, a workplace with two male and eight female workers or with one female and three male workers could have a unisex toilet because there are 10 or fewer workers in total and two or fewer workers of one gender. A unisex toilet comprises one closet pan, one washbasin and means for the disposal of sanitary items.*
- Adequate numbers of toilets on multi-level buildings should be provided throughout the buildings so that no person has to walk up or down more than two floors to a toilet. In respect of this provision, a multi-level building is defined as any multi-level building with the exception of residential units under four floors in height.
- Toilets should be soundly constructed single units, or separated by partitions of strong construction at least 1.5 metres (m) in height, with internal measurements of at least 1400mm long x 850mm wide and 2200mm high. Each toilet should be weatherproof and provided with adequate natural/artificial lighting and ventilation.
- Toilets and urinals should be installed so as to provide adequate privacy. Each toilet should be located:
  - in a position that gives privacy, and
  - in a cubicle, or room, that is fitted with a door that gives privacy and is lockable from inside the cubicle or room.
- Toilets should be clearly marked where separate toilets are provided for males and females.
- Each toilet made available to a female worker must:
  - have facilities to dispose of sanitary items for females and serviced regularly, and
  - be separated from urinals so that no urinal can be seen by her.

*For example, locate a toilet for females in a separate room from urinals or put a screen between urinals and the toilet for females.*
- Toilet facilities should be installed to prevent any odours reaching dining facilities. Each toilet should be constantly supplied with fresh air from openings to the outside air or from mechanical ventilation.
- Toilets should be connected to the sewer where available.
- If connection to a sewer is not available, self-contained freshwater flushing or open closet portable toilets should be provided. If the total number of people who normally work at the workplace is 10 or more then an ablution block fitted to a septic tank or temporary holding tank should be provided.

- Toilets that are not connected to a sewer should be serviced at least once a week for a toilet used by five or more people.
- Each toilet should be well drained and have a floor constructed of, or covered with, durable waterproof material.
- Portable toilets should be installed to prevent them toppling over.
- The internal measurements for portable toilets should be at least 1.05m<sup>2</sup> in area and 1.9m high.
- Covered walkways should be provided to ensure toilets remain accessible during inclement weather.

#### **4.4 Washing facilities**

- Undercover facilities within or adjacent to each toilet or urinal should be provided. These should be in addition to any provided within portable toilets.
- Clean water and cleansing agents (and disinfecting where appropriate) should be provided for the purposes of washing.
- Basins or wash trough points should be provided with water, and hot water where practicable, at the rate of at least one for each 10 people or fraction of 10 people.
- Water taps over a trough should be at least 500mm apart.
- Adequate number of mirrors should be provided at convenient points.
- Garbage bins, with removable liners and secure lids should be provided. Bins should be emptied daily or more frequently if required.

#### **4.5 Showers**

- Shower facilities should be provided when required by the nature of the construction work being carried out.
- When required, a minimum of one shower for each workplace should be provided and at the rate of at least one for each 25 people or fraction of 25 people. A higher ratio should be provided for work such as demolition, tunnelling or work of a dirty nature.
- Separate shower facilities should be provided with adequate privacy for the exclusive use of male or females, where both males and females are employed.
- Each shower cubicle should have a shower curtain or door, soap holder, and hot and cold water.
- Shower facilities should have non-slip flooring throughout.
- Bench seating at least 400mm wide and 460mm in length for each shower adjacent to each group of showers should be provided.
- At least one hook or peg for hanging clothes should be provided for each shower cubicle and spaced 460mm apart.

#### **4.6 Drinking water**

- An adequate supply of cool, clean drinking water should be available on the working site.
  - A supply should be located within 30m of where the worker is working on a single level building, or
  - A supply should be located on the ground level and then every second level of a high rise building being built.

- Drinking water points should be provided near all hot and strenuous work stations. Additional points if needed should be provided.
- Where a connection to water supply is not possible, supply may be provided by other means suitable for dispensing drinking water, such as a flask, water bag, or cooled drink dispenser. If the water is made available in a container, the worker must be able to drink the water without having to drink directly from the same container as someone else.
- Where there are a number of facilities on site, at least one chilled water dispenser at each group of facilities should be provided.

#### **4.7 Facilities for the safe keeping of tools and personal belongings**

- A space should be provided for workers to bring hand tools inside amenity sheds during breaks/change times.
- Hooks or pegs (not nails) should be provided to enable hand tools to be kept off the floor. These should be in addition to hooks provided for clothes.
- Lockable chests, or other means, should be provided for the safe keeping of workers' personal belongings and tools kits.