



# **ACT CONSTRUCTION INDUSTRIES AMENITIES**

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## **CODE OF PRACTICE**

**July 1999**

## **What is an industry code of practice?**

An approved industry code of practice is a practical guide to achieving the standard of health, safety and welfare required by the *Occupational Health and Safety Act 1989* and Regulations for a particular area of work.

An approved industry code of practice should be followed, unless there is an alternative course of action which achieves the same or a better standard of health, safety and welfare in the workplace.

An industry code of practice is approved by the Minister of Urban Services. It comes into effect on the day the notice of this approval is published in the ACT Government Gazette or on the day specified in the Gazette notice.

An approved industry code of practice is designed to be used in conjunction with the Act and Regulations but does not have the same legal force. A person or company cannot be prosecuted for failing to comply with an approved industry code of practice.

However, in proceedings under the Act or Regulations, failure to observe a relevant approved industry code of practice can be used as evidence that a person or company has contravened or failed to comply with the provisions of the Act or Regulations.

A WorkCover inspector can cite an approved industry code of practice in a direction in an Improvement or Prohibition Notice, indicating the measures that should be taken to remedy an alleged contravention or non-compliance. Failure to comply with a requirement in an Improvement or Prohibition Notice is an offence.

### **In summary an approved industry code of practice:**

- . gives practical guidance on how the required standard of health, safety and welfare can be achieved in an area of work.
- . should be followed, unless there is an alternative course of action which achieves the same or better standard of health and safety in the workplace.
- . can be used in support of the preventive enforcement provisions of the *ACT Occupational Health and Safety Act 1989*.
- . can be used to support prosecution for failing to comply with or contravening the Act or Regulations.

## **Contents**

- 1. Introduction**
- 2. Consultation**
- 3. Planning and preparation**
- 4. Table: Amenities for various workplaces**
- 5. General Provisions for all workplaces**
- 6. Types of amenities**
- 7. Legal requirements**

## **Definitions**

## **1. Introduction**

### **1.1 Title**

This code of practice is the ACT Construction Industry Amenities Code of Practice

### **1.2 Purpose**

This code of practice sets out guidelines for the provision of a minimum standard of amenities for persons engaged in all construction work.

### **1.3 Scope**

a. This code of practice covers the provision of amenities for persons engaged in construction work, or activities connected with construction work, including:

- General provisions
- Change rooms
- Meal rooms
- Toilets and sanitation
- Washing
- Showers
- Drinking water
- Safe keeping of tools and personal belongings

### **1.4 Commencement**

This code of practice commences on 1 July 1998.

### **1.5 Authority**

This code of practice is approved as an industry code of practice pursuant to section 87 of the *Occupational Health and Safety Act, 1989*, by the Minister for Urban Services on the recommendation of the ACT Occupational Health And Safety Council.

## **2. Consultation**

The principal contractor, the contractor, self-employed persons, employers, employees and their representatives should consult with each other when observing the recommendations of the code. The consultation process should be used to determine what is reasonably practicable.

### **2.1 Establishing what is reasonably practicable**

The provision of workplace amenities that are reasonable or reasonably practicable (referred to in the table in Section 4) should at least take into account the following:

- a. the type of workplace.
- b. the location of the workplace.
- c. the nature of the work done.
- d. the number of workers on a site.
- e. the distance from the workplace to the nearest available and appropriate amenities.
- f. the time required to access the amenities.
- g. the availability of power and services.

### **3. Planning and preparation**

#### **3.1 Planning by the principal contractor**

The principal contractor, as an employer or person in control has a statutory duty under the OHS Act to provide and maintain a workplace that is safe and without risks to health for their employees and any other person present at the workplace or affected by the work in relation to those matters over which he or she has control.

To fulfil these obligations the principal contractor should plan for the provision of amenities. The level of amenities required will depend on the type of workplace.

#### **3.2 Types of workplaces**

For the purpose of this code, workplaces are divided into four types. (The provision of amenities for each type of workplace is outlined in '5. Table - Amenities for various workplaces'):

- **Type 1 Major construction**

This is usually of fixed location where there are more than 10 persons or the duration of work is more than two consecutive weeks. For example, commercial building, engineering construction and multiple residential construction. For housing construction see Type 4.

- **Type 2 Minor construction**

This is usually of fixed location where there are less than 10 persons and the duration of work is less than two consecutive weeks. For example, minor building, road construction or road maintenance.

- **Type 3 Building alterations (with access to amenities)**

This is usually of fixed location with reasonable access to existing building amenities such as major and minor fit-outs, alterations and extensions.

- **Type 4:**

- A. Workers working away from base**

- This is a workplace for workers who start and finish work at the base, such as council, road or rail workers, lines-persons, workers who receive daily work by telecommunication (as in road maintenance or other public utility work in remote areas).

- B. House construction (see definition of house)**

A workplace where workers carry out construction of, or alterations to a house.

**C. Tunnel construction**

Tunnel construction work with established Type 1 amenities on main site.

#### 4. Table - Amenities for various workplaces

The following table summarises the amenities required for each type of workplace. See sections 6 and 7 for more details as indicated by the table.

Types of workplace	General provisions	Change rooms	Meal rooms	Toilets	Washing/showers	Drinking water	Tools/personal belongings
<b>Type 1</b> <b>Major construction</b>	Provide as in 5.	Provide as in 6.1	Provide as in 6.2	Provide as in 6.3	Provide as in 6.4, 6.5	Provide as in 6.6	Provide as in 6.7
<b>Type 2</b> <b>Minor construction</b>	Provide as in 5.	Provide change rooms if required by the type of work or as determined to be reasonably practicable*. Alternatively, provide mobile amenities, eg a caravan.	Provide reasonable access to a meal facility if no existing dining facilities are close by. Alternatively, provide mobile amenities, eg a caravan	Provide access to at least one sewer, septic or portable chemical toilet as specified in Section 6.3	Provide access to hand washing and shower facilities if work requires showering. Alternatively, provide mobile amenities, eg caravan with these facilities.	Provide as in 6.6	Provide lockable chests for the security of personal belongings and tools.

\* See Section 2.

Note: Sections numbers in this Table correspond to Section 5 and 6 of this code.



**Table (continued) - Amenities for various workplaces**

<b>Types of workplace</b>	<b>General provisions</b>	<b>Change rooms</b>	<b>Meal rooms</b>	<b>Toilets</b>	<b>Washing/ showers</b>	<b>Drinking water</b>	<b>Tools/ personal belongings</b>
<b>Type 3 Building alterations (with access to amenities)</b>	Provide as in 5.	Provide access to existing facilities.  If not available or adequate, Type 1 or Type 2 workplace provisions apply, depending on the size of construction.	Provide access to existing facilities.  If not available or adequate, Type 1 or Type 2 workplace provisions apply, depending on the size of construction.	Provided access to existing facilities.  If not available or adequate, Type 1 or Type 2 workplace provisions apply, depending on the size of construction.	Provide access to existing facilities.  If not available or adequate, Type 1 or Type 2 workplace provisions apply depending on the size of construction.	Provide as in 6.6	Type 1 or Type 2 workplace provisions apply, depending on the size of construction.
<b>Type 4 Workers working away from base or House construction or Tunnel</b>	Provide as in 5.	Ensure facilities at the base. Alternatively, provide reasonable access to change rooms. Mobile amenities, eg caravan may be provided.	Provide reasonable access to a meal facility. Alternatively, provide mobile amenities, eg caravan.	Provide access to toilet(s), or provide portable toilet(s) as specified in Section 6.3.	Provide or arrange access to hand washing facilities.  Ensure facilities are provided at the base.	Provide as in 6.6	Provide lockable chests for personal belongings and tools.

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Note: Section numbers in this Table correspond to Section 5 and 6 of this code.

## 5. General provisions for all workplaces

At the planning stage of each construction project, the principal contractor responsible for amenities on site should plan for the following:

- a. The provision of the type of amenities required as determined by the type of workplace (see 5. Table - Amenities for various workplaces).
- b. The safe and convenient location of amenities required.
- c. Where they are required enclosed amenities should:
  - be of sound construction and weatherproof
  - have adequate ventilation, heating, cooling and lighting
  - be protected against insects
  - be appropriately insulated against weather conditions.
- d. All amenities should be kept clean and sanitary. Surfaces should be of an impervious nature and finished to allow for regular and easy cleaning.
- e. Waste water from amenities should be adequately discharged to ensure hygiene and safety.
- f. An adequate supply of cleaning equipment and accessories, such as soap, hand drying facility, toilet paper, cleaning agents, mops, brooms.
- g. All amenity areas should be positioned or constructed to prevent external flooding and allow safe access for disabled persons, if required.
- h. Access to all amenities, and facilities within, should be kept clear at all times.
- i. Amenities should not be used for the storage of any building materials or equipment, with the exception of employees' personal work tools and protective equipment.
- j. All power supplied to amenities should comply with the relevant supply authority rules and be consistent with relevant standards and practices. For guidance see, the Workcover NSW approved *Code of practice - Electrical practices for construction work* or Australian Standard 3012:1995 - *Electrical Installations - Construction and Demolition Sites*.
- k. Adequate lighting (natural or artificial) should be provided for safe access to amenities.
- l. Where change rooms and meal rooms are provided, they should be separate or separated by an internal wall.

## **6. Types of amenities**

Refer to, '5. Table - Amenities for various workplaces' to determine what amenities should be provided for workplace Types 1-4. For Type 1 workplaces only, all amenities covered in this section should be provided. For workplace Types 2, 3 and 4 refer to the table to determine which amenities should be provided.

The provision of amenities listed in this clause are 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 employers and employees and / or their representatives.

### **6.1 Change rooms**

- a. Change rooms should be provided if the type of work, location of work or the workers require clothes to be changed.
- b. Change rooms should be for the exclusive use of employees.
- c. The change room area should have a minimum floor area of 0.5 square metre 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.
- d. Suitable bench seating in all change rooms at least 400mm wide and 460mm in length for each person using the room at any one time.
- e. Adequate numbers of secure hooks should be provided for hanging clothes and be spaced at least 460mm apart. Where appropriate to the type of work being performed, additional hooks for hanging up personal work tools should be provided.
- f. Clothes drying facilities should be provided where appropriate to the type of work being performed.
- g. Change rooms with suitable enclosures or compartments for privacy should be provided where both males and females are employed on the site.

### **6.2 Meal rooms**

- a. Adequate numbers of suitable tables and seating should be provided for eating meals.
- b. The floor area provided should be at the rate of at least one square metre of floor space for each person using the room at any one time. This space includes space occupied by any tables, seating, but excludes fixtures.

- c. Seating should be either chairs or benches 400mm wide X 560mm in length for each person.
- d. Tables of sturdy construction should be provided and of a length calculated at 560mm for each person using the facility at any one time.
- e. Meal rooms should have adequate means of cooling or heating, appropriate to the conditions such as:
  - reverse cycle air conditioning
  - cooling fans
  - flow through ventilation
  - heaters
  - other alternate methods.
- f. A refrigerator(s) of adequate size should be provided in each meal room to store perishable foods for all persons using the meal room.
- g. An adequate supply of boiling water for hot drinks should be provided.
- h. Food warming facilities of adequate size should be provided in each meal room. eg pie warmer, microwave oven or convection oven
- i. A sink unit of adequate size, with a supply of clean water, should be provided in each meal room.
- j. A suitable space or shelves for storage of employees' provisions should be provided such as for utensils and food.
- k. Garbage bins, with removable liners and secure lids should be provided. Bins should be emptied daily or more frequently if required.

### **6.3 Toilets**

- a. Toilets should be clearly marked where separate toilets are provided for males and females.
- b. The number of toilets provided for males, should be at a ratio of at least one for each 10 persons or fraction of 10 persons.
- c. The number of toilets provided for females should be at a ratio of at least one for each 10 persons or fraction of 10 persons.
- d. Toilets and urinals should be installed so as to provide adequate privacy.
- e. Toilets should be connected to the sewer where practicable.
- f. If connection to a sewer is not practicable self-contained freshwater flushing or open closet portable toilets should be provided.

- g. Toilets that are not connected to a sewer should be serviced at least once every two weeks for a toilet used by up to five persons, or at least once every week for a toilet used by more than five persons.
- h. Toilet facilities should be installed to prevent any odours reaching dining facilities.
- i. Portable toilets should be installed to prevent them toppling over.
- j. Toilets should be located as close as practicable to the workplace and/or amenities.
- k. Adequate numbers of toilets on multi-level buildings should be provided throughout 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.
- l. Toilets should be soundly constructed single units, or separated by partitions of strong construction at least 1.5m in height, with internal measurements of at least 1400mm long X 850mm wide and 2.2m high. Each toilet should be weatherproof and provided with adequate natural/artificial lighting and ventilation. The internal measurements for portable toilets should be at least 1.05 square metres in area and 1.9 metres high.
- m. Each toilet should be fitted with hinged seat and lid and hinged door. The door should be capable of being fastened from the inside.
- n. Each toilet should be well drained and have a floor constructed of, or covered with, a durable waterproof material.
- o. Sanitary disposal units for female use should be provided, where required, and serviced regularly.

#### **6.4 Washing facilities**

- a. Undercover washing facilities within or adjacent to each toilet or urinal should be provided. These should be in addition to any provided within portable toilets.
- b. Clean water and cleansing agents (and disinfecting agents where appropriate) should be provided for the purposes of washing.
- c. 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 persons or fraction of 10 persons.
- d. Water taps over a trough should be at least 500mm apart.

- e. Adequate number of mirrors should be provided at convenient points.
- f. Garbage bins, with removable liners and secure lids should be provided. Bins should be emptied daily or more frequently if required.

### **6.5 Showers**

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

### **6.6 Drinking water**

- a. An adequate supply of cool, clean drinking water should be available on work sites.
- b. Drinking water points should be provided near all hot and strenuous work stations. Additional points if needed should be provided.
- c. Where a connection to a 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.
- d. Where there are a number of amenities on site, at least one chilled water bubbler at each group of amenities should be provided.

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

- a. A space should be provided for employees to bring hand tools inside amenity sheds during breaks/change times.

- b. 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.
- c. Lockable chests, or other means should be provided for the safe keeping of employees' personal belongings and tool kits.



## **7. Legal requirements**

### **7.1 Occupational health and safety**

Every person at the place of work has a duty under the *Occupational Health and Safety Act 1989*, whether as an employer, an employee, a self-employed person or a person in control of the workplace. While the obligation for each person is different, all persons must ensure that the way they carry out their work does not interfere with the health and safety of other persons who are present at the place of work.

### **7.2 Employers' responsibilities**

Employers have an obligation to ensure the health, safety and welfare of employees and other persons at the place of work and to comply with the OHS Act and Regulations. This includes the provision or maintenance of adequate amenities at work.

### **7.3 Employees' responsibilities**

Employees have an obligation to take reasonable care for the health and safety of other persons at the place of work and to cooperate with their employer in the interests of health, safety and welfare.

### **7.4 Self employed persons' responsibilities**

Self employed persons have an obligation to ensure that persons not in their employment are not exposed to risks to their health and safety arising from their conduct while they are at the place of work.

### **7.5 Person in control**

Any person who has, to any extent, control of a place of work, the means of access or egress or plant or substances used has an obligation to ensure the health and safety regarding the place of work, the means of access or egress and plant or substances used at the place of work.

### **7.6 Manufacturers'/suppliers' responsibilities**

Manufacturers and suppliers have an obligation to ensure health and safety regarding plant or substances used at places of work. They are required to carry out all necessary research, testing and examination.

They are also required to make available adequate information about the safe use of the plant or substances, and any conditions necessary to ensure that the plant or substances will be safe and without risks to health when properly used.

## Definitions

The following definitions are for the purpose of this code:

**Base** means a place of work where workers normally start and finish their daily work, such as a depot, yard or compound, home or accommodation.

**Construction work** includes:

- a. building, including excavation, and the construction, alteration, renovation, repair, maintenance and demolition of all types of buildings or structures.
- b. civil engineering, including excavation, and the construction, structural alteration, repair, maintenance and demolition of for example, airports, docks, harbours, inland waterways, dams, river and avalanche and sea defence works, roads and highways, railways, bridges, tunnels, viaducts and works related to the provision of services such as communications, drainage, sewerage, water and energy supplies.
- c. the erection and dismantling of prefabricated buildings and structures as well as the manufacturing of prefabricated elements on the construction site.

**Employee** means an individual who works under a contract of employment or apprenticeship.

**Employer** means a corporation which, or an individual who, employs persons under contracts of employment or apprenticeship.

**Principal contractor** means the person with overall responsibility for the construction work and includes the owner builder. Depending on the contractual arrangements which are in place, the principal contractor may be an employer, self-employed person or a person in control within the terms of *the Occupational Health and Safety Act*.

**Self-employed person** means a person who works for gain or reward but not under a contract of employment or apprenticeship, whether or not they employ others.

**House** means:

- a. a building designed as a single dwelling on one block of land, or, in the case of dual occupancy.
- b. a building(s) designed to include two dwellings (erected side by side or joined together to form a single building) on one block of land.