

# **Occupational Health and Safety Requirements for Extraction of Mineral Resources <sup>1</sup>**

Regulation no. 223 of 18 June 2004 of the Government of the Republic

This Regulation is established pursuant to subsection 4 (5) of the Occupational Health and Safety Act (RT I 1999, 60, 616; 2000, 55, 362; 2001, 17, 78; 2002, 47, 297; 63, 387; 2003, 20, 120).

## Chapter 1

### GENERAL PROVISIONS

#### **§1. Scope of application of Regulation**

(1) The occupational health and safety requirements for extraction of mineral resources shall be applied to workstations that are located at the area for extraction of mineral resources and the assistance services and placement of places of work related to equipment thereof, including heaps, depositories of raw material, production and residue and other civil engineering works that are meant for storage of materials as well as non-work rooms that workers can access in relation to their work.

(2) The requirements specified in subsection 1 shall also be applied to extraction of natural resources from the earth's crust, including collection of groundwater via drilling.

#### **§2. Definitions used in Regulation**

(1) The definitions "extraction", "specialist in charge" and "responsible supervisor" are used in the Regulation within the meaning provided in the Mining Act (RT I 2003, 20, 118; 2004, 18, 131).

(2) A workstation is considered to be a zone that contains the places of work that are related to the main and secondary activities and civil engineering works of surface and underground mines as well as accommodation that workers can access in relation to their work.

#### **§3. Employer's obligations**

(1) The Employer shall ensure that:

1) the workstation is planned, constructed, adjusted, put into service, operated and maintained in such a manner that workers can perform work without endangering the safety and health of themselves and other workers;

2) all workstations where workers are present are under the supervision of the responsible supervisor;

3) unauthorised persons may be present on the workstation upon the approval of the employer or the specialist in charge and accompanied by an authorised person;

4) safety instructions are understandable for all relevant workers;

5) first aid equipment is accessible for workers;

6) safety training exercises shall take place regularly.

(2) The employer shall ensure that work related to a special hazard is only trusted to a competent worker and such work is performed pursuant to relevant instructions.

(3) The employer shall organise instruction and training for workers pursuant to the procedure provided for in legislation enacted on the basis of subsection 2 (3) of the Occupational Health and Safety Act.

(4) In order to ensure a safe working environment for the health of workers and safe usage of equipment, the employer shall compose written safety instructions for at least the following activities:

- 1) use of emergency equipment;
- 2) behaviour in an emergency condition;
- 3) movement in the mine;
- 4) use of lifting equipment, winches and means of transport for people;
- 5) removal of rippings;
- 6) handling of explosive materials;
- 7) ventilation of workplaces;
- 8) use of personal protective equipment.

(5) The employer shall ensure that a risk assessment specified in clause 13 (1) 3) of the Occupational Health and Safety Act are carried out in the workstation and the measures of the activity plan composed on the basis of the results of the assessment are implemented in order to ensure the safety and health of workers. The risk assessment shall be performed before the commencement of work and the risk assessment shall be reviewed if major changes are made in the workstation such as extension or reconstruction.

(6) The employer shall ensure that especially dangerous work shall generally be performed with at least two people. However, if it is performed alone, the worker shall be situated within seeing or hearing distance or have relevant means of communication.

(7) The employer shall ensure that escape and life saving equipment and facilities are maintained in order to ensure immediate and safe departure of worker from workstations in case of danger. For safe removal of workers from an underground mine, the workers shall be equipped, if necessary, with protective equipment for the respiratory tract that shall always be placed near the worker.

(8) The employer shall organise the necessary communication links with rescue and emergency services in order to immediately start activities of assistance, evacuation or rescue if necessary.

(9) The Employer shall implement measures to:

- 1) prevent, discover and suppress the release and spread of fire and explosions;

2) prevent formation of air that can cause combustion or that has a composition that is harmful to health.

(10) If workers of several employers are working at the workstation at the same time, the employers shall enter into a written agreement on collective occupational health and safety activities and on the liability of each employer specified in subsection 12 (3) of the Occupational Health and Safety Act. The collective activities shall be coordinated by the main contractor.

(11) If both surface and underground work is being performed within an extracting permit area, the employer shall take measures that ensure the safety of workers for both surface and underground work. The condition of the subsurface mining massif and the performance of precautionary measures shall be supervised on a regular basis.

(12) The employer shall inform workers and their representatives of all measures that are being implemented at the workstation in relation to health and safety, above all these measures that are related to implementing the requirements specified in this section. The concerned information shall be understandable for the concerned workers.

(13) The employer shall consult with workers or their representatives regarding issues related to the working environment, take into account the proposals of workers for planning measures for improving the working environment and involve them in putting the planned measures into practice.

(14) The employer shall organise the registration, notification and investigation of accidents at work and occupational diseases pursuant to procedure established by subsection 24 (6) of the Occupational Health and Safety Act.

(15) The employer shall organise medical examinations for the workers pursuant to procedure provided in clause 13 (1) 7) of the Occupational Health and Safety Act.

#### **§4. Notification obligation of workers**

A worker who notices a hazard that is endangering a person, ownership or the environment is obliged to immediately inform the specialist in charge or a person replacing him or her of it and take measures to eliminate or prevent the hazard. Workers who are present in the danger zone and threatened by an immediate danger shall be warned first.

## Chapter 2

### OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS FOR EXTRACTION

#### **§5. Workstations and places of work**

(1) Workstations shall be planned, constructed, adjusted, put into service, operated, controlled and maintained in a way that guarantees their resistance against possible environmental effects.

(2) Workstations shall be planned to sufficiently ensure the protection of workers from hazards. Workers with special needs have to be taken into account when planning the workstation if necessary. This is first and foremost valid for doors, passageways, stairs, showers, washbasins, toilets and places of work that workers with special needs are using or where they are present.

(3) Every worker shall make sure that the workstation is in a safe condition before commencing work and check the condition of equipment necessary for work and their protective devices. Work shall not be commenced before eliminating the discovered hazards or deficiencies.

(4) Workstations shall be kept in good order. All hazardous substances and the residue thereof shall be eliminated in order to avoid endangering the health and safety of workers.

(5) Workstations shall be designed following the principles of ergonomics, taking into account the need of workers to observe the activities they are performing in the workstations.

(6) Safe working methods shall be used in all workstations and for all activities.

(7) The construction and solidity of workrooms shall conform to their application purposes. Workrooms containing workstations have to be fitted with suitable heat insulation, taking into account the physical effort of workers.

(8) It is forbidden to congest and pollute workstations and their access routes with work equipment, mine waste or materials that obstruct the movement of persons and machines.

## **§6. Mechanical and electrical devices and machinery**

(1) The safety of workers shall be considered when choosing, installing, putting into service, operating, maintaining and assessing mechanical and electrical devices and machinery (hereinafter the work equipment), taking into account the requirements specified in this Regulation and in the Machinery Safety Act (RT I 2002, 99, 580; 2004, 18, 131; 30, 208) and in Regulation no. 13 "Occupational Health and Safety Requirements for Use of Work Equipment" of 11 January 2000 of the Government of the Republic (RT I 2000, 4, 30; 2003, 89, 596).

(2) If the work equipment is located in an area where a hazard of fire or explosion may arise due to gas, steam or combustion of volatile fluids, the equipment shall be suitable for use in such a location. The work equipment shall be equipped with protective and safety features if necessary.

(3) Work equipment causing dust shall be equipped with features that the dust sticks against or dust catching features.

(4) Work equipment that cause as little noise, vibration, oil smog as possible and do not cause a reduction in visibility shall be used.

(5) Work equipment shall be sufficiently durable; it shall not have any defects and it shall be suitable for performing the planned duties.

(6) A protective device or instrument that obstructs access to the danger zone shall be installed on moving parts of the work equipment in order to avoid dangerous exposure.

(7) The user of work equipment shall follow the instructions on usage and maintenance provided by the manufacturer. The specialist in charge shall appoint a supervisor for each part of work equipment in written form; the supervisor shall examine the work equipment in a timely manner and assume responsibility for the condition of the work equipment.

(8) Work shall be organised in such a way that the worker does not have to be present at moving or uncovered parts of work equipment.

(9) The electrical installations and equipment used in the workstation shall conform to the requirements prescribed by the Electrical Safety Act (RT I 2002, 49, 310; 110, 659; 2004, 18, 131; 30, 208).

(10) The workers shall be protected against the risk of electric shock caused by direct or indirect contact with electrical equipment.

(11) The integrity of grounding shall be visually inspected after blasting or collapse.

#### **§7. Loading devices and means of transport**

(1) The workstation of an operator of a loading device shall be situated in the safest possible location.

(2) The operator of a loading device and the driver of means of transport shall be protected if there is a risk of falling or bursting of stones in the course of loading by equipping the workstation with a protective roof or a protective compartment.

(3) The bucket of a moving loading device shall be restrained for the duration of the ride.

(4) If stones have congested the loading bunker or another loading area, the stones shall be crushed in a suitable manner. Other operations shall be stopped if necessary.

(5) A means of transport shall have at least two braking systems. Both braking systems shall be capable of stopping the device. It is permitted to drive downhill with engine braking only.

#### **§8. Inspection and maintenance of work equipment and safety equipment**

(1) Work equipment shall be inspected pursuant to § 8 of Regulation no. 13 "Occupational Health and Safety Requirements for Use of Work Equipment" of 11 January 2000 of the Government of the Republic.

(2) A relevant plan for regular inspection, maintenance and testing, if needed, of mechanical and electrical devices and machinery shall be composed.

(3) Safety equipment shall be in good working order and always ready to be used.

#### **§9. Traffic routes**

(1) It shall be possible to reach, and, in the event of an emergency, leave workstations in a quick and safe manner.

(2) Traffic routes, including stairs, fixed ladders, loading bays and ramps shall be of a suitable size and be positioned such as to ensure safe traffic of pedestrians and vehicles and the safety of workers working in the vicinity of the traffic routes. Loading bays and ramps shall be suitable for the dimensions of the loads to be transported. Loading bays shall have at least one exit point.

(3) If vehicles are used on traffic routes, a sufficient safe clearance zone shall be provided for pedestrians.

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

(5) Traffic routes situated in rooms and in underground excavated sections shall be indicated in a distinct manner. Traffic routes shall be equipped with traffic signs that indicate junctions, meeting and overtaking points of vehicles, maximum speed, prohibition of pedestrian traffic, passing areas and other necessary circumstances if necessary.

(6) Transport facilities and devices shall be installed, used and maintained in a way to ensure the safety of drivers, users and other persons in close proximity.

#### **§10. Traffic in mines**

(1) Traffic in mines shall be regulated. An audible warning shall be sounded in case a vehicle starts moving at a junction and in steep curves and in case a locomotive starts moving.

(2) Parking, dipped beam or other warning lights shall be flashing if a vehicle is stopping on a traffic route. A warning plaque shall be placed at a suitable distance if visibility is limited. An unmarked carriage or another obstruction located on a traffic route shall be equipped with a clearly visible reflector.

(3) Velocity shall correspond to traffic management, quality of the road, visibility and other conditions in such a way that the driver is in control of the vehicle in any situation. The velocity of a vehicle shall not exceed 40 km/h if pedestrians are moving in the same underground excavated section.

(4) Persons shall only be transported with a vehicle meant for that purpose; the maximum allowed number of passengers shall be indicated on the vehicle.

(5) Reverse driving of a train shall be avoided in the case of limited visibility and in case other vehicles or pedestrians are moving in the same underground excavated section. However, if reverse driving is necessary, the driver shall be certain that the manoeuvre is safe. A person organising the work shall stand at the last carriage in case of reverse driving if the length of the train, inadequate visibility or other circumstances require such organisation.

(6) Work shall be organised such that there shall be no activities or movement on vertical or inclined routes during the transport cycle. However, if it is necessary, measures shall be taken to reduce danger and safety signs shall be used.

#### **§11. Lamps and signalling equipment**

(1) Vehicles and means of transport shall have driving and parking lamps that are in good working order and at least one white or yellow lamp in the direction of movement and one red lamp for the opposite direction. Reciprocating loading devices may have white lamps for both directions. The lamps shall always be switched on when moving in an underground mine regardless of the general lighting of the underground excavated section.

(2) The audible warnings being used shall be recognisable and have a significantly higher volume than background noise.

(3) If work is performed in dark places of work and in underground mines, a reflector or a reflector-band shall be worn on clothing. The reflector-band shall be attached to a visible place and, if necessary, also to a protective helmet.

#### **§12. Protection from danger of explosion and fire**

(1) The employer shall put into practice a system of work organisation measures and technical devices when planning, constructing, installing, operating and maintaining workstations in order to avoid the creation of a flammable or explosive atmosphere or to avoid the ignition thereof if the nature of the activity makes it impossible to avoid the creation of an explosive atmosphere.

(2) The measures specified in § 15 of the Occupational Health and Safety Act for removal of workers and other persons from the danger zone, giving them first aid and performing firefighting and rescue work shall be ensured for a possible accident.

(3) The risk assessment specified in subsection 3 (5) shall include a risk assessment of hazards of combustion and fire related to an explosive atmosphere, including:

- 1) probability of creation of an explosive atmosphere and the endurance thereof;
- 2) probability of creation and activation of ignition sources, including electrostatic charges;
- 3) explosion risks arising from devices, work equipment and their connection systems, the materials and work processes being used and their possible concurrences;
- 4) the scope of consequences arising from a possible explosion.

(4) The activity plan composed on the basis of the risk assessment shall contain:

- 1) a document of explosion protection in which the explosive locations and the explosion risks that may occur there are pointed out and measures are prescribed to avoid or reduce explosion risks; likewise, the locations of explosion barriers and safe assembly points for workers are pointed out;
- 2) a fire protection plan in which the fire-risk zones are pointed out and measures are prescribed that shall be implemented for protection against outbreak and spread of fire, fire detection and extinguishing thereof.

(5) Workstations shall be equipped with fire extinguishing equipment and, if necessary, with:

- 1) acoustic and optical alarm systems that can be used to give a signal of an alarm to all places of work where persons are working, if necessary;
- 2) an acoustic alarm system that can be clearly heard in all parts of the facility where persons are present.

(6) Devices for giving a signal of an alarm shall be placed at suitable locations. Workers shall be equipped with relevant means of communication if they are present at workstations where persons are usually not present.

(7) Non-automatic fire extinguishing equipment shall be able to be easily handled; it shall be located in an easily identifiable and accessible location and protected from damage.

(8) Smoking is forbidden in fire-risk zones and potentially explosive locations. It is forbidden to use open fire and perform work that may create a hazard of ignition if safety measures for preventing fires have not been implemented.

(9) The devices and facilities used in mines shall be constructed, if possible, from materials that are non-combustible, not readily igniting or from materials that do not support combustion and give off as little smoke and toxic gases as possible when burning.

(10) Only an essential quantity of flammable substances shall be taken to excavation sections.

(11) If there is a need to use hydraulic fluids, that is, fluids that are meant to transfer hydrostatic or hydrokinetic energy, they shall not be readily igniting if possible in order to avoid the hazard of creation and spreading of fire. Additional precautionary measures shall be implemented if highly flammable hydraulic fluids are used in order to avoid the increased fire hazard.

### **§13. Protection from hazardous substances**

(1) The employer shall put into practice measures that shall:

1) suppress and remove hazardous substances that may gather in the air at the location they are created; or

2) disperse them in a manner that is harmless for the workers.

(2) The used air shall be directed out of the mine such that the dust, harmful gases and other harmful components contained in it shall not endanger the workers or the population.

(3) The employer shall equip the workers with relevant protective equipment for the respiratory tract if the inhaled air contains or may contain toxic gases or dust.

(4) The content of hazardous substances in the inhaled air shall not exceed the maximum limits established by Regulation no. 293 "Maximum Limits for Chemical Hazards in the Working Environment" of 18 September 2001 of the Government of the Republic (RT I 2001, 77, 460).

(5) The procedure for measuring of the concentration of hazardous substances contained in the air shall be specified in the activity plan composed based on the risk assessment. The measurements shall be performed in accordance with the requirements of the Metrology Act (RT I 2004, 18, 132). The concentration of hazardous substances in the air shall be measured again if the ventilation conditions have substantially changed. The measurement results and the precautions put into practice on the basis of them shall be registered in a written form.

(6) Work in the workstation shall be stopped until the concentration of hazardous substances has been brought to an acceptable level if the concentration of hazardous substances in the air exceeds the maximum limits of chemical hazards. Work may be temporarily continued, using effective protective equipment for the respiratory tract, if the concentration of hazardous substances exceeding maximum allowed concentration cannot be reduced within a reasonable time.

### **§14. Work in outdoor conditions**

(1) Work in outdoor conditions shall be organised such that it does not present a danger to the traffic of pedestrians and vehicles.

(2) Places of work and traffic routes that are located outdoors shall be equipped with artificial lighting if daylight is not sufficient.

(3) Measures shall be implemented to protect workers from slipping and falling, possible falling objects, harmful noise and harmful gases, vapours, dust and harsh meteorological conditions.

(4) In the event of danger, it shall be possible for workers to evacuate all workstations quickly and it shall be possible to give them aid if required.

### **§15. Danger zones**

(1) Workstations shall be indicated and measures to protect the persons working there shall be implemented if there is a risk of an accident or damage to health. Access of unauthorised persons to these areas shall be prevented.

(2) Working and moving in locations where ensuring safety is not possible shall be prohibited. Such locations are:

- 1) extracted and unsupported areas of an underground mine;
- 2) locations beneath terraces in surface mines that may collapse;
- 3) locations on high terraces where there is a risk of falling;
- 4) other locations where ensuring safety is not possible.

(3) Danger zones shall be closed, surrounded with barriers or covered such as to prevent entry to the zone.

(4) Suitable precautions shall be implemented in order to protect the workers who may enter the danger zones. A safety belt or other suitable safety equipment shall be used when working in a location where there is a risk of falling.

(5) Loading areas shall be surrounded with barriers that prevent vehicles from falling down. The vicinity of the area shall be illuminated and cleared of stones and irrelevant objects. Areas that are not being used shall be surrounded with barriers or covered.

### **§16. Emergency routes and exits**

(1) In the event of danger, it shall be possible for workers to evacuate workstations quickly and as safely as possible.

(2) Emergency routes and exits shall conform to the requirements prescribed for them, they shall be free from obstruction and lead as directly as possible to the surface, a safe area or a safe assembly or evacuation location.

(3) The number, distribution and dimensions of emergency routes and exits depend on the application of the workstation, the dimensions of the work equipment used and the maximum number of persons that may be present.

(4) Emergency doors shall open outwards; sliding doors shall be used if possible. Emergency doors shall be closed such that they can be opened immediately and in a simple manner in an emergency situation. Emergency doors may not be locked.

(5) Emergency routes and exits shall be equipped with emergency lighting of sufficient luminous intensity.

### **§17. Escape facilities, life saving equipment and safety training exercises**

(1) Escape facilities shall be placed into easily accessible and functionally designated locations and be ready to be used.

(2) Safety training exercises shall be organised for workers for operating in emergency situations.

(3) Safety training exercises shall be regularly carried out in all workstations where the workers are generally present. During the safety training exercises, the skills of these workers who shall perform special functions in emergency situations, involving the use and operation of or working with emergency equipment shall be tested as well.

(4) If workers have to perform functions involving the use of emergency equipment, they shall receive respective training during the safety training exercise.

### **§18. First aid equipment**

(1) First aid equipment shall always be accessible to all workers.

(2) In order to give first aid in case of an accident, the workstation shall have (a) first aid cabinet(s) in an easily accessible and clearly indicated location with a sufficient amount of bandages and other items. The contents of the first aid cabinet shall be inspected at least once a month; the first aid equipment shall be renewed or supplemented if necessary.

(3) The amount of workers of the company who have received first aid training, the amount of first aid cabinets and the amount and necessity of other first aid equipment such as eyewash devices or stretchers depends on the structure of the company, the amount of workers and the working conditions.

(4) A first aid room with the possibility of giving first aid and taking care of the injured person until the arrival of a doctor shall be in the workstation. This room shall be accessible with a stretcher and first aid instructions shall be placed at a clearly visible location. The first aid room shall be equipped with essential first aid equipment.

### **§19. Indicating of danger zones, signalisation, alarm, rescue, first aid and firefighting equipment and emergency routes**

(1) Danger zones, signalisation, alarm, rescue, first aid and firefighting equipment, the first aid room and emergency routes and exits shall be indicated with safety signs pursuant to legislation established on the basis of § 3 of the Occupational Health and Safety Act.

(2) The safety signs shall be located at suitable places and be clearly visible, made of resistant material and illuminated if necessary.

(3) All the persons working in and allowed to enter the mine shall know the meanings of the safety signs being used and other danger indicators.

### **§20. Lighting**

- (1) Workplaces, staircases, corridors, traffic routes, workrooms and non-work rooms shall be sufficiently illuminated. The placement of the lighting fittings shall not endanger the workers.
- (2) Natural daylight shall be preferred when planning lighting. Workstations shall also be equipped with artificial lighting, taking into account natural daylight and the duration of the working shift.
- (3) The lighting of the workstation shall conform to requirements; if necessary for performing work duties, the lighting shall be increased.
- (4) Artificial general lighting and, if necessary, localised lighting shall be accessible at the workstation.
- (5) The lighting shall be properly channelled, it shall not create shadows or dazzle directly or via reflection. Flickers in lighting originating from the source of lighting and big contrasts in brightness when workers are moving from one room to another upon change of work duties shall be avoided.
- (6) The lighting shall ensure good visibility of safety signs and emergency shutdown devices.
- (7) Workstations where workers may be exposed to risks in the event of failure of artificial lighting shall be provided with sufficiently powerful emergency lighting. Workers shall be equipped with personal lamps if that is not possible.
- (8) The mine standing, connection points of main hauling and panel excavated sections, railway switches and stations for transporting persons shall be equipped with safe constant lighting in an underground mine. Personal lighting equipment shall be used in locations without constant lighting.
- (9) Persons present in underground excavated sections shall be equipped with personal lighting equipment and an escape apparatus. The personal lighting equipment shall ensure lighting for the whole duration of being present in the mine but not less than 10 hours; working life of the escape apparatus – at least one hour.

## **§21. Noise and vibration**

- (1) The noise level of the working environment shall be such as to avoid harmful effects on workers. The frequency spectrum of impulse noise and noise shall be taken into account.
- (2) Vibration of work equipment shall not cause any physical damage or functional disorders to workers.

## **§22. Workrooms**

- (1) Buildings, facilities and workrooms shall correspond to their purpose of use and have sufficient structure and solidity.
- (2) The height and area of workrooms shall be sufficient for workers to perform their work without risk to their safety and health.
- (3) The surfaces shall be firmly installed, shall not be slippery and shall have no dangerous bumps, holes or slopes.
- (4) Surfaces, walls and ceilings shall be thermoisolated from the outdoor environment, taking into account the type of work being performed.

(5) Surfaces, walls and ceilings shall be of a material that can be cleaned.

(6) Transparent and partially transparent walls shall be made of a safe material or safe from breakage and be clearly indicated.

(7) Access to roofs constructed of materials of inadequate solidity shall be restricted unless devices for ensuring the safety of work performed there can be used.

### **§23. Restrooms and/or accommodation areas**

(1) Changing rooms shall be established for workers. It shall be easy to access the changing rooms; they shall be sufficiently large and be equipped with seats and lockers. There shall be separate lockers for working clothing and personal clothing if certain circumstances (for example hazardous substances, humidity, dirt) exist. Every worker shall have his or her own place to store his or her clothes if changing rooms are not necessary.

(2) Rooms for warming up and drying chambers for clothes shall be provided for workers at outdoor workplaces.

(3) The employer shall provide workers with shower facilities if the working conditions require so. The shower facilities shall be located in close vicinity of the changing rooms, be sufficiently large and equipped with hot and cold running water. If showers are not required, there shall be a sufficient number of washbasins in the washing facilities.

(4) A sufficient amount of toilets and washbasins shall be located in close vicinity of the workstations, restrooms, changing rooms and shower facilities. It shall be possible to wash and dry hands in the lavatory.

(5) Separate changing rooms and shower facilities and washbasins and toilets shall generally be provided for men and women.

(6) The restrooms and/or accommodation areas specified in this section may be located on the surface in the case of an underground mine.

(7) The employer shall ensure that the restrooms and/or accommodation areas are kept clean and are cleaned at least once a day.

### **§24. Restrooms**

(1) If it is necessary for the safety or health of workers, above all in connection with work that is noisy, physically demanding or constantly involves being in a forced position or if there are less workers at the workstation than the designated number, the workers shall be provided with restrooms. This provision shall not apply to workers who are working in offices or other workrooms where it is possible to take a break.

(2) Restrooms shall be of a sufficient size and equipped with tables and seats with backs. Pregnant and breastfeeding women shall have the possibility of lying down to rest in suitable conditions.

(3) It is forbidden to smoke in restrooms.

(4) If interruptions of work take place constantly or often and there is no restroom, there shall be other rooms where workers can stay during interruptions of work, if that is necessary for the

interests of their safety and health. Measures shall be prescribed in such rooms to protect non-smokers from damage to health caused by tobacco smoke.

### **§25. Drinking water**

The employer shall provide workers with drinking water that meets the standards established for drinking water and with disposable or washable drinking dishes.

### **§26. Windows and doors**

(1) It shall be possible to open, close and adjust windows, skylights and ventilation equipment in a safe manner. When open, windows shall not be positioned so as to constitute a hazard to workers. Windows exposed to the sun shall have coverings that allow excessive effects of sunlight to be avoided. Windows shall be designed so as to allow them to be cleaned without risk to the workers carrying out this work or to other workers.

(2) The position, number and dimensions of doors and gates and the materials used in their construction shall be determined by the purpose of their use.

(3) The surfaces of doors and gates shall be protected against breakage and they shall function in such a way that there is no risk of accident to workers.

(4) Transparent doors shall be appropriately indicated at a conspicuous level.

(5) Swing doors and gates shall be transparent or have a sight-glass that is transparent. If the transparent or partially transparent surfaces of doors and gates are not made of safe material and in case of breakage constitute a danger to workers, the surfaces shall be protected from breakage.

(6) Sliding doors shall be fitted with a safety device to prevent them from being derailed. Doors opening upwards shall be fitted with a mechanism to secure them against falling back.

(7) Doors opening to evacuation routes shall be indicated respectively. It shall always be possible to open such doors from the inside without special equipment. It shall be possible to also open the doors when the workrooms are busy.

(8) Gates for pedestrians shall be provided in the immediate vicinity of any gates intended essentially for vehicle traffic, unless it is safe for pedestrians to pass through. The gates shall be clearly indicated and free to access.

(9) Power-operated doors and gates shall be fitted with emergency stop devices that are easily identifiable and accessible. If power-operated gates do not open automatically in the event of a power-cut, it shall be possible to open them manually.

(10) If chains or similar facilities are used to restrict access, they shall be clearly visible and indicated with forbidding or warning signs as required.

### **§27. Ventilation**

(1) The supply of fresh air shall be ensured at workstations. The required level of fresh air shall be determined having regard to the number of workers in the workroom, the physical demands placed on the workers, the size of the workroom, the amount and the specifics of the equipment used, and the nature of the technological process.

(2) The workroom and workstations shall be equipped with an exhaust ventilation system if during the working process dangerous substances or dust that could be harmful for the health of a worker erupts. Any sediments or extraneous matter that could directly put the health of workers at risk by polluting the air shall be immediately removed.

(3) Ventilation installations shall not substantially increase the level of noise in the working environment. The ventilation system being used shall be maintained in good working order and it shall not cause draughts. It shall be possible to regulate the ventilation system.

(4) The ventilation system shall be equipped with an automatic control system that notifies of every failure if such notification is necessary for protection of the health of workers.

### **§28. Room temperature**

(1) The temperature in a workroom shall be appropriate for performance of official duties. Air humidity, air velocity, thermal radiation, physical demands placed on workers and the specific characteristics of the clothing and personal protective equipment shall be taken into account as well.

(2) The temperature in restrooms and/or accommodation areas and first aid rooms shall correspond to their application.

(3) Windows, skylights and partitions made of glass shall allow prevention of excessive sunlight, taking into account the type of work being performed.

### **§29. Special requirements for surface and underground extraction**

The safety requirements provided in legislation established on the basis of subsection 4 (5) of the Mining Act shall be followed for surface and underground extraction.

### **§30. Entry into force of Regulation**

The Regulation shall enter into force on 1 July 2004.

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<sup>1</sup> Council Directive 92/104/EEC on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJEC L 404, 31.12.1992, pages 10-25); Council Directive 92/91/EEC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJEC L 348, 28.11.1992, pages 9-24).