

Civil Service Conciliation and Arbitration Scheme

General Council Report 1332

(Meeting/s of 29 April 1998)

Claim that the Safety Health and Welfare at Work (General Application) Regulations, 1993 be implemented in relation to the health and safety of office workers.

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(Meetings of 20 December 1995, 24 October 1996, 25 September 1997 and 15 December 1997)

Claim that the Safety Health and Welfare at Work (General Application) Regulations, 1993 be implemented in relation to the health and safety of office workers.

1. The **Staff Side** opened by saying that they believed that the Office Premises Act had been repealed, or was about to be repealed. Their purpose in requesting this meeting was to ask for an agreed report of General Council which would implement in the Civil Service the recently published guidelines on Health and Safety of office workers. This report would replace the Office Premises Act in respect of Civil Servants. The Staff Side observed that the HSA guidelines were minimal in nature. They wished to see the proposed General Council Report expand on the minimum standards set out in the guidelines, and they wished to address some areas which the guidelines had not touched on at all. Specifically, they were anxious that the General Council Report cover the position of civil servants who were required to work off-site, and to resolve the position of the liability and duty of the employer in cases where office-based civil servants made trips outside the office in the course of their work. They said that they had raised this question at the time of the publication of the Safety, Health and Welfare at Work (General Application) Regulations, 1993, and that the publication of the guidelines provided the opportunity to revisit the topic and to codify arrangements in a General Council Report. They referred to a provision in the 1993 Regulations that separate employers using the same building

should cooperate on Health and Safety matters. It was a feature of civil service employment that one building could accommodate officers of several Departments. The Staff Side said that they wished to have that general situation addressed in the Report.

2. The **Official Side** said that where civil servants from different departments occupied the same building it would be a matter for such departments to liaise with one another to ensure that, so far as is reasonably practicable, the place of work is safe and that any substance or article in the place of work is safe and without risk to health. This matter would, no doubt, have been addressed by departments in preparing their safety statements. This General Council Report would direct how departments should arrive at arrangements in buildings in which a private sector employer was the anchor tenant.

With regard to office-based civil servants who are required to work off-site, it is the responsibility of departments to ensure the safety and health of such officers, in so far as it is reasonably practicable, in the performance of their official duties.

3. The **Staff Side** raised the question of space. They said that they had never been happy with the minimum standards offered by the Office Premises Act. They would be seeking a greater allocation of space per person in the Report. They had noted that the figure quoted for space in the Health and Safety Authority Guidelines was exclusive of fixtures such as filing cabinets; this had not been clear in the Office Premises Act and had been the subject of dispute when allocation of space was discussed between management and employees in the past.

4. The **Official Side** replied that they would agree to specify the exclusion of fixtures such as filing cabinets from the minimum floorspace per person, but did not propose to increase that minimum from 4.65 square metres. Consultation with the Health and Safety Authority had confirmed that the health & safety aspect of this figure was to ensure adequate airspace per person. This had been expressed as a floorspace figure to indicate what area would normally guarantee the required personal airspace. The Authority were not aware of any office employment in which higher floorspace figures had been agreed as a health & safety measure. If the HSA Guidelines indicated that 4.65 square metres was sufficient floorspace for office workers, and there were no private sector agreements that exceeded that minimum, there was no basis for saying that a greater floorspace was needed

for civil servants.

5. On the status of the provisions of the Report when adopted, the **Staff Side** noted that the Office Premises Act standards regarding heating and space, etc. had the force of statute behind them and that officers had the right to vacate the premises when the standards were infringed. The **Staff Side** said that the provisions of the Report should offer no less to employees: they should have the right to evacuate in such a circumstance. The Staff Side made it clear that, in their view, if the employer failed to provide the minimum standards as set out in the Health and Safety Authority Guidelines, staff would be entitled to vacate the premises. The **Official Side** did not agree that the Office Premises Act had conferred such a right. In any event, the thrust of current Health and Safety legislation was towards consultation and cooperation between management and staff on health and safety matters. A provision such as that sought by the Staff Side would be at variance with this underlying philosophy of the legislation. The Official Side would be prepared to countenance a provision which called for mandatory consultation with safety representatives where the minimum temperature provision had not been met within one hour of the commencement of work. The **Staff Side** could not agree to this and it was decided to record disagreement on this particular issue.

6. The **Staff Side** suggested that it would be appropriate to incorporate the agreed maximum temperature in any Report which eventuates from these discussions. The **Official Side** agreed to incorporate the maximum temperature in the Report.

7. The **Official Side** said that they were agreeable to issue guidelines to departments on the work environment and standards of office accommodation as set out in Appendix 1 to this Report.

8. The **Staff Side** said that they believed that the General Council Report would become a key reference document in the civil service and that it would be appropriate that the report set out an index of the important previous circulars as a reference aid. The **Official Side** agreed to set out the major circulars and General Council Reports in Appendix 2 of the Report.

9. This report was adopted on 29 April 1998

APPENDIX 1

Work Environment

1. Ventilation of enclosed places of work

In most offices the natural ventilation provided through windows and doors will be adequate. Where mechanical ventilation or air-conditioning is provided the system should be regularly checked, kept clean as part of a plant maintenance system and free from any substance or organism which may contaminate the air passing through it thereby affecting the health and safety of employees. In the case of either natural or forced ventilation which inevitably involves the movement of fresh air, it is important to ensure that deposits or dirt which would place employees at risk are regularly removed and that surfaces and ventilation equipment are kept clean.

2. **Temperature**

(a) During working hours, the temperature in rooms containing work stations shall be adequate, having regard to the working methods being used and the physical demands placed on employees.

(b) The temperature in rest areas, rooms for duty staff, sanitary facilities, canteens and first-aid rooms shall be appropriate to the particular purpose of such areas.

(c) A temperature of 17.5°C should be the minimum temperature for sedentary workers in offices. This temperature should be attained within one hour of the commencement of work.

(d) In addition windows, skylights or glass partitions in offices should not allow excessive temperatures to be reached during hot weather. A temperature of 24°C should not normally be exceeded. The heating system should not result in offensive or injurious fumes entering the office.

(e) Where offices are air-conditioned, temperature should be maintained in the range 20°C to 24°C.

3. **Lighting**

Adequate lighting must be provided. Where possible offices should have natural lighting. When artificial lighting is used it should be sufficient so as to avoid visual fatigue and prevent glare or reflection into the workers' eyes.

4. **Workstations**

Work stations should be comfortable with safe and suitable chairs and sufficient space. In offices, 4.65 square metres (to include the area occupied by the office desk and chair but excluding fixtures such as presses, filing cabinets and other office furniture) is the minimum amount of floor space to be allowed for each person.

5. Work Equipment

Equipment used in the office should be kept in good condition at all times, be repaired or serviced by qualified persons and any faults reported promptly. Passenger lifts should be thoroughly examined on a regular basis by a competent person. Contract maintenance staff are to be given the same health and safety protection as regular office workers.

6. Eating Facilities

Eating facilities must be available. Adequate facilities for boiling water and taking meals should be provided for office employees or they should have reasonable access to these facilities. Meals should not be taken in an office where there is a risk to safety, hygiene or health.

7. Sanitary Facilities

Sanitary facilities should be kept clean and well ventilated. They must not exit into a work-room except through the open air or an intervening ventilated space. The facilities must be located as near as possible to the office. Where there are no separate facilities provided for the public the number of conveniences specified below should be increased as necessary to ensure that workers can use the facilities without undue delay.

MALE AND/OR FEMALE

Number of people at work	Number of water closets
1 to 5	1
6 to 25	2
26 to 50	3
51 to 75	4
76 to 100	5

8. Washing Facilities

Adequate and suitable facilities for washing should include running hot and cold (or warm) water as well as soap and clean towels (the single towel for use by many should be discouraged) or other suitable means of cleaning or drying. Washing facilities should be conveniently located, be near to the sanitary facilities and large enough to facilitate the washing of face, hands and forearms. They should be kept clean, well maintained, have adequate lighting, and be sufficiently ventilated and adequately protected from the weather. One washbasin must be provided for every 20 employees up to 100 employees and one for every 40 employees, or part thereof, after that.

9. Office Cleanliness

The standard of cleanliness required will depend on the use to which the office is put. Floors and indoor traffic routes should be cleaned at least once per week. Any waste material that accumulates should be removed on a daily basis. Interior walls, ceilings, windows and work surfaces should be cleaned at suitable intervals, so as to maintain an appropriate hygiene standard. Contract office cleaners are to be given the same health and safety protection as regular office workers.

10. Supply of Drinking Water

It shall be the duty of every department to ensure that an adequate supply of wholesome drinking water is provided and maintained at suitable points conveniently accessible to all staff.

11. Shared Accommodation

Where civil service employers share an office building with private sector employers, and the civil service are not the anchor tenants, arrangements to deal with Health and Safety in such buildings must be made. There must be consultation with safety representatives before the arrangements are agreed.

APPENDIX 2

Index of major Circulars and General Council Reports on Safety and Health, and related topics

Circular no. 12/84 - "Health and Safety aspects of Visual Display Unit operation" *[instructions on the use of VDUs, including eyesight tests]*

Circular no. 32/90 - "Safety, Health and Welfare at Work Act, 1989" *[instructions on the Act, how to compile safety statements and how to set up consultative arrangements with Staff; training and information; fire safety precautions; National Authority for Occupational Safety and Health; promulgation of the circular]*

Circular no. 22/93 - "Safety, Health and Welfare at Work (General Application) Regulations, 1993; First-Aid" *[provision and maintenance of first-aid equipment; instructions on training of first-aiders]*

Circular no. 3/94 - "Safety, Health and Welfare at Work (General Application) Regulations, 1993; Requirements for Work with Display Screen Equipment and Visual Display Units" *[regulations concerning equipment and environment; breaks from work on VDUs; training on use of workstations; further instructions on provision of eyesight tests; special corrective lenses; pregnancy; warning re photo-sensitive epileptics/certain medication; promulgation of the circular]*

Circular no. 34/95- "Measures to Protect the Health and Safety of Pregnant Employees" *[requirement to assess the workplace for risks to pregnant or breastfeeding employees; requirement to move employees to safe work if risk exists, or to grant health and safety leave]*

General Council Reports.

General Council Report 597 - *[Table, chair and bin to be provided to clerical staff, where necessary]*

General Council Report 686 - Claim for proper heating arrangements in Government Offices *[agreement that the temperature in Government offices will normally be maintained in the range 63 -73 degrees fahrenheit]*

General Council Report 1077 - Claim concerning Air-Conditioned Office Accommodation *[maintenance arrangements; agreement that the temperature in air-conditioned Government offices will normally be maintained in the range 68 -75 degrees fahrenheit]*

General Council Report 1202 - Claim that Rest Rooms be provided in all workplaces [*recommendation that basic Rest Rooms be provided*]
General Council Report 1252 - Indemnification of Safety Representatives [*clarifying liability of Safety Representatives appointed under Circular no. 32/90*]

General Council Report 1277 - Code of Practice on Smoking in Government Offices [*sets out model code on adoption of measures to restrict smoking in the workplace for consideration by departmental Safety and Health committees*]

Where Available:

The circulars are available in the "**Cód Pearsanra**" ("**Civil Service Personnel Code**"), which is available for inspection in Personnel Units. The General Council Reports are also available from Personnel Units.

This report was adopted on 29 April 1998