

HHLA



OCCUPATIONAL HEALTH AND SAFETY REGULATIONS EXTERNAL COMPANIES

HAMBURGER HAFEN UND LOGISTIK AG



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Introduction

At Hamburger Hafen und Logistik AG, we feel a particular responsibility to meet our social obligations to protect the lives and health of our employees, as well as the employees of external companies working on our premises. It is our aim to ensure that workflows on our premises are smooth, accident-free and environmentally friendly.

Executive Board/Labour Director

1 General Provisions

1.1 Scope

1.1.1 These occupational health and safety regulations for external companies apply to any company or Contractor performing work or services on the premises or in the buildings of the HHLA Group.

1.1.2 The aim of the following regulations is to prevent any disruption to the operations of the Customer as well as risks faced by employees and assets of the Customer and the Contractor or any other contractors.

1.1.3 The regulations for external companies apply as amended for all current and future business relationships between the Customer and the Contractor unless otherwise agreed in writing between the Customer and the Contractor. The regulations for external companies form part of any service relationships between the Customer and the Contractor, provided that the Contractor renders services on the premises of the Customer. If the Contractor fails to acknowledge, terminates or is found to be in contravention of the regulations for external companies, this shall constitute good cause for the Customer to terminate all business relationships with the Contractor.

If the Contractor has not yet acknowledged in writing to the Customer the regulations for external companies by written order, order confirmation or any other contractual agreement, the Contractor shall promptly send a signed certificate of obliga-

tion (<http://hhla.de/de/zulieferer/ueberblick.html>) to the Customer, but no later than before starting to execute the order. Otherwise the Customer shall be entitled to refuse to accept the services and to terminate the order for good cause.

1.2 Compliance with all Legal and Internal Company Regulations

1.2.1 The Contractor shall be obliged to comply with and observe the relevant legal regulations, official regulations, internal regulations for occupational health and safety (alarm plans, escape and rescue route plans, etc.) and other relevant policies and standards for occupational health and safety.

1.2.2 The Customer shall be obliged to make available to the Contractor official measures as well as in-house occupational health and safety regulations, to the extent that they are connected with the execution of the order.

1.3 Safety Regulations

1.3.1 The Contractor shall be obliged to observe and comply with the regulations and access rights at individual HHLA sites.

2 Coordination of Work

2.1 Responsible Person Assigned by Contractor

2.1.1 The Contractor must appoint one or more **representatives** as the contact for order execution depending on the scope of work. These people must be adequately qualified and ensure the professional and personnel management of and provide direct support to the agents deployed by the Contractor at all times.

2.1.2 In addition to the Contractor, the **representatives** serve as the direct contact persons for the External Company Coordinator designated by the Customer. During the execution of the assigned orders, they must be sufficiently present and available to the Customer at all times.

2.1.3 The Contractor must nominate the **representatives** in writing before the work starts. (2.3 External Company Job Ticket).

2.2 External Company Coordinator Assigned by Customer

2.2.1 The **External Company Coordinator** deployed by the Customer serves as a direct contact person to the Contractor. The Customer must notify the Contractor in writing of an External Company Coordinator and a representative before the work starts (2.3 External Company Job Ticket).

2.2.2 The **External Company Coordinator** shall inform the representatives of the Contractor about the applicable regulations and facilities required for the work. In order to avoid any potential reciprocal danger, this individual shall coordinate the work of the Contractor and of the Customer or other companies on the premises of the Customer. A joint risk assessment is to be carried out before starting work. The External Company Coordinator shall be entitled to give orders to the employees of the Contractor or a subcontractor engaged by the Contractor as well as its employees to the extent that this is required to avoid any mutual risk.

2.2.3 The **External Company Coordinator** shall be entitled, in the event of violations of:

- Work and environmental protection regulations
- Internal work and environmental protection regulations
- Official measures
to order the cessation of work until the problem has been resolved and to direct offending employees from the premises.

2.3 External Company Job Ticket

2.3.1 The Contractor shall carry the job ticket on the premises from arrival until departure. The external company job ticket documents:

- The names of those responsible on the sides of both the Customer and the Contractor
- The briefing on the regulations and precautions to be observed during work
- Risk assessment measures
- The go-ahead for the assignment to be carried out by the authorised party of the Customer.

- 2.3.2 The external company job ticket must be carried at all times and shown upon request to a responsible person or representative of the Customer.

3 Contractor Employees

3.1 The Contractor shall carry out the order on its own responsibility using its own employees. Evidence of required expertise must be presented to the Customer before starting the work.

3.2 Only the Contractor shall be responsible for selecting, instructing and supervising the employees it deploys.

Before starting work, the Contractor must inform its employees about the following issues and document this:

- Company-specific risks (risk assessment measures)
- Relevant work and environmental protection regulations
- In-house environmental protection regulations
- “Occupational Health and Safety Regulations for External Companies” of the Customer

The Contractor shall be obliged to monitor compliance with the above-mentioned points. The Contractor must present evidence of instruction if so requested by the Customer. Permanent availability in case of emergencies must be ensured while work is being carried out.

3.3 If foreign employees do not have a command of written and spoken German, the Contractor undertakes to provide someone who is proficient in the workers’ language and available at all times during work on the site.

3.4 The Customer shall retain the right to impose a ban on access to the premises for the duration of the assignment in the event that individual employees of the Contractor repeatedly or seriously breach the regulations on occupational health and safety. Delays in handling the order resulting from such a situation or the provision of replacements, etc., shall be solely the responsibility of the Contractor.

4 Use of Subcontractors

4.1 If and to the extent the Customer allows the Contractor to use subcontractors, the Contractor undertakes to ensure that the subcontractor is aware of these regulations for external companies and to bind said subcontractor to these regulations. Upon request, written proof of this shall be shown to the Customer.

5 Order Execution

5.1 Work Approval

5.1.1 Before starting work, the Contractor representative shall report to the External Company Coordinator assigned by the Customer.

5.1.2 Upon completion of the work, the Contractor representative will once again report to the External Company Coordinator to confirm completion.

5.2 Working Hours

- a) Working hours will be coordinated with the Customer in consideration of the relevant statutes of the law and other regulations such as the Law governing Working Hours (ArbZG).
- b) Each Contractor shall be responsible for compliance with the regulations on working hours in respect of its employees and those of any subcontractors it uses.

5.3 Cleanliness at the Place of Work

The Contractor shall be responsible as follows:

- a) The place of work, assembly location, yard, etc. shall be kept in a proper and clean state.
- b) No inflammable materials that could catch fire during welding, for example, shall be kept in the working area. If this is inevitable, suitable fire extinguishing agents must be kept at hand.
- c) Cables, hoses, etc. needed on a daily basis shall be so laid out so as not to be an impediment or cause an accident.
- d) Any pieces of iron or piping and any unnecessary remaining material, rubble, glass wool, cable remains, packaging material, etc. shall be removed from the working area immediately, at least once a day.

6 Occupational Health and Safety, General Rulesn

6.1 Personal Protective Equipment (PPE)

6.1.1 The Contractor shall provide all the necessary personal protective equipment for the employees deployed on the premises of the Customer and shall ensure that said equipment is properly used.

6.1.2 Entry to and presence at the place of work shall only be permitted with the appropriate PPE. In this respect, the Contractor shall display suitable signs and notices around the place of work.

6.1.3 Individuals who are found to be on site without the necessary protective wear shall be directed off the premises by the Customer.

6.2 Separation of Working Areas

6.2.1 The employees of the Contractor shall only be allowed access to the work areas to which they have been assigned. Access to installation sites, storage areas, and construction and assembly scaffolding of other companies shall only be permitted in agreement with the respective external company and/or the Customer.

6.3 Barriers and Safety Systems

6.3.1 The Contractor shall be responsible for securing the entire area of a work area subject to regulations. The Contractor must regularly check the proper state of all coverings and barriers. Escape and rescue routes must be kept free at all times.

6.3.2 Should there be any deficiencies in this respect, work shall stop at the location in question until the safety system has been properly restored.

6.4 Duty to Ensure Traffic Safety

6.4.1 The Contractor shall be responsible for ensuring road safety in respect of its activities during the assignment.

6.4.2 The Contractor undertakes to ensure that its place of work and installation, yard, etc., is kept in a roadworthy condition.

6.4.3 In particular, the Contractor must secure building sites, pits, ducts, shafts and other working areas against collapse. When securing pits, shafts, etc., the covers must be safe to step on and not be movable. If there is danger of any sideways slipping, guards with handrails must be affixed.

6.5 Modifying and/or Removing Protective Equipment

6.5.1 The unauthorized modification and removal of protective equipment, in particular the removal of parts from such equipment, shall be prohibited. Any persons who engage in such activities or any supervisors who tolerate them shall be directed by the Customer to leave the premises and shall be reported to the appropriate supervisory authorities.

6.5.2 Should the provisional removal of safety equipment prove essential, e.g. a cover and/or railings, this shall be subject to the prior consent of the Customer. The risk assessment should define other protective measures of equal value.

6.6 Using Work Equipment

6.6.1 The Contractor shall not be entitled to use the equipment of the Customer (tools, machinery, hoists, cranes and electrical systems), unless the Customer provides written consent.

6.6.2 All necessary machinery and tools for carrying out the work shall be provided by the Contractor. These must be in proper working order and have been tested subject to legal regulations. The Customer shall be entitled to check them and rule out the use of any tools or machinery that fail to comply with safety regulations.

6.7 Avoiding False Alarms

6.7.1 Before work begins, it should be clarified whether there are any automatic fire or error detection systems installed at the place of work. These may be activated not only by hot work (9 Potential Fire Hazards) but also by:

- Dust
- Temperature
- Solvent vapours (e.g. painting and adhesion work) or
- Other gases
- Such work must be reported to the Customer to avoid possible false alarms, with work only beginning after receiving the go-ahead from the Customer (release note).

6.8 Working at Heights

6.8.1 The Contractor will secure scaffolding and roofs and other elevated places of work to ensure that there is no risk of items dropping from a height and to prevent people from falling off.

6.8.2 Roofs may only be accessed after the External Company Coordinator has confirmed it is safe to do so and the load-bearing capacity has been confirmed.

6.8.3 If safety measures to protect against falling are required, the employees must be secured against falling using PPE at suitable locking points. Measures to rescue individuals must be defined before work can start.

6.9 Suppliers and visitors

6.9.1 Insurance regulations require the Contractor to procure a visitors' permit from the Customer for visitors to its place of work who have no direct connection with the work carried out there by the Contractor.

7 Occupational Health and Safety, Special Regulations

7.1 “Particularly Hazardous Work”

If several Contractors are engaged on a building site in “particularly hazardous work”, (Construction Site Ordinance [Baustellenverordnung] Appendix II) and/or hazardous work as described in the German Social Accident Insurance (DGUV) regulation 1 Section 8, the planning phase must comprise:

- Preparing a **health and safety protection plan** and
- Naming a **health and safety coordinator**.

7.2 Drilling and Cutting Work

7.2.1 Before commencing work, the Contractor undertakes to inspect the layout of the relevant supply and disposal lines of the Customer. The Contractor shall confirm this inspection in writing.

7.2.2 Before carrying out the work the Contractor shall define the demolition method and the necessary safety measures with the Customer. Before commencing the work, the Contractor shall present a description of the demolition work featuring the machinery and equipment that will be used and the required protective measures to be taken for the employees.

7.2.3 Structural safety must be guaranteed at each demolition phase. The Contractor shall rule out all access to any hazardous zones. A professional supervisor assigned by the Contractor shall always be present during demolition work.

7.3 Excavation, Earthwork and Digging

7.3.1 Before commencing work, the Contractor undertakes to inspect the layout of the relevant supply and disposal lines of the Customer. The Contractor shall confirm this inspection in writing. Furthermore, the HHLA information sheet “Earthwork close to buried cables and open cable systems” must be observed (available on the HHLA intranet).

7.3.2 When it is expected that work shall involve the supply and disposal lines, the deployment of machinery will halt at an adequate distance from them (at least 1 m) and work shall continue by hand. In cases of doubt, work using machinery will cease beforehand. Slots will be manually formed to probe the layout of lines and piping. If their exact positioning can be established through the slots, machinery may be used to lift the covering layer up to 30 cm above the lines. The remaining layer must always be removed by hand.

7.3.3 After uncovering the capstones, further digging work around electricity cables must cease and the Customer informed. The capstones shall only be removed and the cables uncovered in the presence of the Customer. Where necessary, the respective power supply company must be notified.

7.3.4 Trenches and walls as well as duct walls must be properly built or scarped in line with the condition of the soil.

7.3.5 Before filling the working spaces, they must be cleared of all rubble.

7.3.6 Ducts must be filled with the same care as when they are dug out. Care must be taken to ensure that all cables, pipelines, ducts, etc. are properly secured so that they do not buckle or crack during subsequent settling.

7.4 Assembly Work

The Contractor must prepare written instructions for all installation work (e.g. the laying or relocation of concrete components and corrugated sheeting, installation of steel constructions) that covers all the necessary safety aspects. Any interim storage locations, as well as transport and assembly conditions must be set out there in particular. Furthermore, measures to establish safe working areas and access must be defined, along with the corresponding overview drawings.

7.5 Working in Confined Spaces and Shafts

7.5.1 Accessing confined spaces, containers and shafts shall be subject to the permission of the Customer. Special protective measures are required for work in confined spaces, containers and shafts and must be defined in writing. These include, for instance, measures for:

- Fire safety and rescuing people
- Protection from explosion
- Protecting employees from electrical current

- Safeguarding health. e. g. during blasting, welding and surface treatment (TRGS 507)

7.6 Working Close to Power Lines

For construction work underground and above ground level, when working with scaffolding, hoists, construction machinery or conveyor equipment, and when working in the vicinity of such equipment and construction aids, the Contractor shall first check the distances to be maintained from live power lines with the responsible power supply company and inform the Customer accordingly.

7.7 Working with Asbestos

In the event of asbestos abatement and repair work, the Contractor (only a properly licensed company) shall be bound by the specifications of the Ordinance on Hazardous Substances (Gefahrstoffverordnung) and TRGS 519. This applies in particular to notifying the responsible offices, the use of suitable personnel and equipment, and the provision of a professional on site. The Contractor shall present the Customer with the official permit to carry out the work.

7.8 Handling Compressed Gas Cylinders

When handling compressed gas cylinders, the Contractor must make sure that:

- Each cylinder is fitted with a pressure reducer unit including manometer and a flame arrester for combustible gases

- The pipes are in proper order and only used for this specific purpose
 - Compressed gas cylinders on site are kept upright, acetyl cylinders lying down, but tilted so that the pressure reducer and valve are above the bottom of the cylinder
 - Compressed gas cylinders are fitted with valve flaps during transport and storage, secured at all times from toppling and protected against unauthorised access
- Compressed gas cylinders that are stored and connected for gas removal may not be placed in certain areas without corresponding safety measures such as in corridors, stairways, small courtyards, passageways and through roads or in close proximity to these, or along escape routes.

7.9 Forklifts, Ground-handling Vehicles, Lifting Platforms and Construction Vehicles

- 7.9.1 The Contractor shall be allowed to use its own forklifts, ground-handling vehicles, lifting platforms and construction vehicles on the Customer's premises providing the assigned crew is in possession of the appropriate licences.
- 7.9.2 The assigned crew must always carry with them their driving licences with photograph/permission.

7.9.3 The use of forklifts, ground-handling vehicles, lifting platforms and construction vehicles belonging to the Customer by employees of the Contractor shall only be permitted with the written consent of the Customer. The Contractor must ensure that its employees have a written assignment and have received corresponding instructions.

7.9.4 Employees of the Contractor may only drive on the premises of the Customer or on parts thereof that are accessible to the general public (e. g. company car park as a de factor public traffic area) subject to the relevant road traffic regulations. These road traffic regulations (StVO) also apply to the premises of the Customer, unless company regulations set stricter standards.

7.9.5 The employees of the Contractor undertake to protect forklifts, ground-handling vehicles, lifting platforms and construction vehicles from unauthorised use.

7.10 Ladders and Scaffolding

7.10.1 Only ladders may be used and provided that comply with company safety specifications.

7.10.2 Scaffolding must meet current technical standards. The Contractor shall provide evidence of the usability of the staging and safety scaffolding and supporting structures, and shall monitor the safety of these. Every user shall check the proper condition thereof and maintain it. Scaffolding may only be used once it has been given the all-clear. Any scaffolding that has not been released for use must be clearly marked to that effect.

7.10.3 The Contractor shall be responsible for the condition of the scaffolding and platforms on which its employees work. The Contractor must regularly check the proper state of all scaffolding and platforms.

7.11 Operating Electrical Installations and Operating Equipment

7.11.1 The Customer and the Contractor must ensure that electrical installations and operating equipment are only set up, installed, modified and repaired by a professional electrical specialist or under their supervision subject to the rules governing electrical engineering.

7.11.2 The Contractor shall also ensure that persons operating electrical equipment are not only professionally qualified to do so but that they have also been briefed on how to handle electricity. The Customer must be shown corresponding evidence thereof on request.

7.12 Cranes

7.12.1 Cranes may only be used if they satisfy company safety specifications and the crew operating the crane have been licensed and given a written order pursuant to German Social Accident Insurance (DGUV) regulation 52. Transporting individuals with cranes is only permitted with the approval of the relevant authorities.

7.12.2 The required crane inspection logs shall be available on site for inspection.

7.13 Pipes, Containers

Pipes and containers may only be opened or relocated by the Contractor with the permission of the Customer.

7.14 Systems Subject to Monitoring

The installation and operation of systems that require monitoring as defined in the company safety ordinance [Betriebssicherheitsverordnung] (boilers, elevators, pressure tanks, compressed gas cylinders, electrical systems in spaces that are an explosive hazard, systems for storage, filling and transportation of combustible fluids) shall be subject to the consent of the Customer. The Contractor shall be responsible for the required notices, permits and expert testing as well as for the safety of operations.

8 Using Hazardous Substances

8.1 It is forbidden to use substances that are classified as toxic, genetically modifying, carcinogenic, teratogenic, sensitising, environmentally hazardous, easily inflammable, highly polluting to water and radioactive.

8.2 Only hazardous substances that have been approved by the External Company Coordinator assigned by the Customer shall be permitted and used on the Customer's premises. Clearance shall be made via the external company job ticket.

8.3 The Contractor shall provide written notification of hazardous substances that might be derived from the provision of the service in question.

8.4 The Contractor shall comply with the regulations of the Ordinance on Hazardous Substances [Gefahrstoffverordnung] when handling and storing hazardous substances.

8.5 Any necessary instructions shall be issued by the Contractor and displayed at the place of work.

9 Potential Fire Hazards

9.1 The following are examples of procedures that constitute fire hazards or that are potentially explosive:

- Welding, burning, soldering, unfreezing, cutting, grinding and severing work
- Working with an open flame
- Heat bonding (e.g. using bitumen boilers and burners)
- Working in areas at risk of explosion: using apparatus and equipment that are not protected against explosion and tools that generate flying sparks
- Applying inflammable insulating coating and coats of paint
- Floor bonding work using adhesive consisting of combustible solvents
- Using cleaning agents that contain combustible solvents

9.2 Work that constitutes a fire hazard shall be subject to the in-house approval procedure for hot work and work with open flames.

9.3 Prior to carrying out work that constitutes a fire hazard, the Contractor shall define the safety measures together with the External Company Coordinator, the fire safety officer and, where necessary, the hazardous goods officer of the Customer and document this in the required **permit for work that constitutes a potential fire hazard**.

9.4 In case of welding and cutting on elevated places of work, above grids or on open platforms, non-inflammable covering must be positioned underneath to rule out any danger from flying sparks and welding spatter.

10 Fire Safety and Lightning Protection

- 10.1 The Customer's respective company fire safety regulations must be made available and observed.
- 10.2 Effective protection against lightning must be ensured when constructions are erected that, when completed, will tower over existing buildings in the vicinity. This requirement is generally deemed satisfied if the technical measures described in VDE 0185 have been taken and a properly secured area is available for the employee.

11 Plant Traffic

All traffic signs and notices on the premises of the Customer as well as the regulations governing traffic and parking must be observed:

- All vehicles and corresponding equipment (e. g. crane fixtures) must be in proper condition and have been tested as required by law.
- People may only be transported in vehicles that have been correspondingly approved.
- Vehicles must not be parked so as to block access to safety equipment, e. g. hydrants, and sampling shafts.
- If vehicles deregistered by the Contractor are left on long-term building sites to save tax and/or insurance premiums, the Contractor undertakes to demonstrate to the Customer compliance with the necessary safety checks as set out in German Social Accident Insurance (DGUV) regulation 70 "Vehicles".

12 Conduct in Case of Emergency

- 12.1 Any witness to an emergency situation (occupational accident, events involving environmental hazards, etc.) is obliged to act in accordance with the company emergency plans.
- 12.2 The site emergency plans contain internal and external emergency telephone numbers. This plan shall be distributed on site or be on display.
- 12.3 All emergencies must be reported to the External Company Coordinator. Nothing must be moved at the site of an accident, unless this is necessary in order to rescue people.
- 12.4 Regulations governing the notification of accidents of any individual company shall hereby remain unaffected.

13 Prohibitions

13.1 The following are specifically forbidden:

- Bringing weapons to the site or carrying weapons
- Bringing people who are not part of the company to the site
- Bringing animals to the site
- Selling, distributing and affixing brochures, newspapers, flyers
- Any form of assembly or political gathering

13.2 Photography and filming are only permitted with the written consent of the Customer.

13.3 Smoking bans and any prohibitions relating to the use of mobile phones must be observed.

13.4 For safety reasons, it is forbidden to consume alcohol, drugs or other stimulants. The Customer retains the right to ban employees of the Contractor who violate this prohibition from entering the premises for the duration of the assignment. Delays in handling the order resulting from such a situation or the provision of replacements, etc., shall be solely the responsibility of the Contractor.

13.5 It shall not be permitted to use buildings of the Customer for residential purposes or overnight accommodation. Any exceptions require the written consent of the Customer.

14 Energy Efficiency

We expect the external companies that we commission and employ to use energy in a conservative way. The consumption of electricity and fuel can be minimised by various measures within the sphere of influence of the external company. These measures include e. g.:

- Switching off vehicle engines and power units in case of non-use
- Using energy-efficient machines
- Planning workflows also in consideration of energy aspects

15 Validity

The validity of the above-mentioned “Occupational Health and Safety Regulations for External Companies” is determined by reference to the underlying contract between the Customer and the Contractor, which regulates the application of these “regulations for external companies”.

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