

1 Scope

When carrying out work at Framatome properties, company buildings or customer plant (hereinafter referred to as 'company grounds' for simplicity), suppliers may be exposed to risks relating to on-going operations or expose other persons to risks emanating from their work. To prevent mutual risks, these Supplementary Conditions govern the necessary health & safety and environment protection measures necessary for all work activities that go above pure office or administrative tasks. Additional customer regulations may apply when working for the Client on customers' company grounds. The Supplier will undertake to observe and support all regulations and measures pertaining to health & safety and environment protection with the objective of preventing injuries, damage, fire or any other risks.

2 Responsible person appointed by the Client and Supplier

Unless otherwise explicitly stated in the order, all work must be carried out under the supervision and management of an authorised responsible person on site named by the Supplier's company (e.g. construction supervisor, foreman – hereinafter called 'responsible person').

The responsible person appointed by the Supplier and his deputies must be sufficiently reliable, suitable and have the necessary expertise and language skills used at the work site or master the agreed project language in word and letter to be able to understand and forward any instructions to the workers deployed by the Supplier in a language they understand.

The Supplier must ensure that the responsible person contacts the technical contact person named in the contract or another appointed coordinator (hereinafter both are referred to as 'coordinator') after the order has been accepted and well before work commences.

The Supplier must ensure that all the workers he deploys, including the responsible person and any workers of subcontractor companies, comply with the regulations defined in these Supplementary Conditions at all times.

3 Subcontractors

Unless the use of subcontractors is explicitly ruled out in the contract and the Supplier intends to deploy third parties to fulfil the contract or to work with subcontractors, the Supplier will undertake to inform the Client of this in writing.

The Supplier will undertake to agree the validity of the regulations of these Supplementary Conditions with his designated subcontractors and ensure that all regulations are observed in full. The Client is entitled to review and request documentation of this.

If the Supplier breaches his information duties, the duty to agree the validity of the regulations of these Supplementary Conditions with the subcontractor or the duty to monitor compliance, or if the subcontractor breaches the requirements of these Supplementary Conditions or the duty to submit documentation, the Client is entitled to refuse to continue working with this subcontractor. The Supplier remains responsible for fulfilment of the contract, in particular compliance with the schedule and all other aspects of the contract (e.g. health & safety, environment protection, quality).

4 Checking in / out

The Supplier must ensure that all of his employees check in and out of the work site in compliance with the regulations relevant at the company grounds (e.g. work regulations, construction site regulations, specifications by the coordinator etc.). The Supplier will undertake to familiarise himself with the local valid regulations before commencing work.

5 Execution of the order

The Supplier may only commence work after the coordinator has briefed the Supplier's responsible person. The coordinator can instigate an interruption (suspension) of the work, if this is necessary to avert an immediate danger, e.g. due to non-observance of health & safety regulations by the Supplier.

If, to fulfil contractual duties, work needs to be carried out on or in systems not specified in the contract, written approval from the coordinator is required.

The regulations of the Client's Employers' Liability Insurance Association (BG ETEM) also apply to workers from foreign companies whose employees are not affiliated to a German Employers' Liability Insurance Association.

If evacuation drills are carried out in company buildings, the Supplier must participate in the same way as the Client's workers. In the event of an evacuation drill, the responsible person must ensure that all (foreign) workers leave the building immediately and meet at the designated assembly points. All missing persons must be reported to the assembly point supervisor immediately.

6 Health & safety management system / safety logbook

If specified in the order, the Supplier must maintain a health & safety management system (AMS) for the entire duration of the order.

If specified in the order, the Supplier is responsible for ensuring that each of his workers carries a safety logbook while working on the company grounds; this logbook contains all important information about the worker's health and occupational safety.

The Client is entitled to audit implementation of these Supplementary Conditions.

7 Risk assessment

In compliance with the valid statutory provisions, in particular Article 6, 7, 9 of the EC Directive 89/391/EEC as implemented in Germany, for instance in § 5 of the Health & Safety Act, the Supplier must perform risk assessments for the deployed workers in terms of the risks associated with their work, and must also take any necessary safety measures and draw up suitable documents (risk assessments) before commencing work.

To ensure cooperation on health & safety provisions at short notice, the Supplier must keep these documents available at the work site and present them to the Client immediately on request. The Supplier bears sole responsibility for the accuracy and commensurability of the risk assessment and any measures derived from this to protect his workers.

At construction sites where health & safety coordination in compliance with EC Directive 92/57/EEC needs to be implemented in the construction site regulations, a risk assessment must be presented to the Client at least 8 weeks before the start of the work.

8 Initiation and coordination of health & safety measures

The Supplier is responsible for initiating and executing health & safety measures in his work area. The Supplier will undertake to brief the deployed workers to ensure that they carry out the work in a way that permanently guarantees the health and safety of the deployed workers and also any other persons working near the respective work area.

The appointment of a coordinator by the Client does not relieve the Supplier of his responsibilities, in particular organisational, supervision and coordination duties, towards his workers and to check the workers deployed by his subcontractors.

If a possible risk occurs or becomes apparent, the Supplier must immediately coordinate with other suppliers or third parties and inform the coordinator so that suitable protective measures can be taken. The Supplier will undertake to follow the coordinator's instructions.

The briefing and necessary coordination measures are documented at the Client's site using the checklist 'Briefing and coordination of suppliers'.

9 Handling work equipment

The Supplier is responsible for the required safety equipment, its safe condition and safe operation of all work equipment he uses at work. Any work equipment provided by the Client must be checked for visible faults before use. Any detected faults must be reported immediately to the coordinator. Any testing deadlines specified for work equipment must be observed.

The respective operating instructions for the work equipment that the Client provides to the Supplier must be observed. Within the scope of his risk assessments, the Supplier has a duty, in compliance with section 7, to check if any safety measures are necessary.

9.1 Cranes, lifting platforms, electrical lifting equipment, industrial trucks and motorised vehicles

All vehicle drivers must have the required driving permit (e.g. driving licence, qualification certificate) and must also observe the local traffic regulations. Any safety belts must be worn when driving.

If any of the Supplier's workers has to use the Client's cranes, lifting platforms, electrical lifting equipment, industrial trucks and motorised vehicles, work with this operating equipment may only commence after the Client has briefed the workers designated by the Supplier. At this briefing, the necessary qualification certificates must be presented voluntarily.

The workers are obliged to wear safety harnesses when working on telescope work platforms; the use of safety harnesses is strongly recommended when using vertical lifts.

9.2 Scaffolding

Scaffolding may only be erected, modified, dismantled or serviced by specialist scaffolding companies. Unauthorised modifications by the user are prohibited. If necessary as a result of the ambient conditions, equipotential bonding and lightning arresters must also be installed.

Scaffolding must be cordoned off by the responsible company during installation and dismantling, and then marked with a release tag. This tag must state at least the following: Scaffold type, load class, width class, name of the inspector. If no type approval or general technical approval is available, the structural stability must be verified separately. To this end, the scaffolding company must arrange for a verifiable static calculation including any necessary drawings, and must keep these drawings available at the scaffold site.

The user must check the scaffolding every day for obvious faults.

9.3 Ladders and steps

All ladders and steps used by the Supplier must be in a fully functional condition. Whenever possible, ladders should be replaced with safety steps, platforms, scaffolding or elevated work platforms.

10 Hazardous work materials

The Supplier is responsible for initiating and executing health & safety measures for all work involving dangerous or potentially pollutant work substances in his sphere of responsibility. If there is a duty to notify the supervisory authorities, the Supplier must undertake to do this and inform the coordinator.

By accepting the order, the Supplier confirms that he has the respective expertise and experience for handling all work involving dangerous work substances.

If larger quantities are used (> 200l) or if hazardous substances are used that bear the hazardous statements H340, H350, H360 (CMR substances), H200, H201, H202, H203, H240, H241 (explosive substances), the safety data sheets must be sent to the coordinator beforehand.

11 Work with high risk potential / release procedure

Work on/in tanks, ditches, channels and shafts (confined spaces) must be carried out in compliance with the safety measures previously agreed with the coordinator. Before work commences, a written release (permit) must be obtained from the coordinator.

Before commencing any excavation work, the site situation must be discussed first with the coordinator to prevent any damage to underground supply and disposal lines, or any equipment. The Supplier must immediately report any unforeseeable obstructions encountered during the work to the coordinator.

The Supplier must permanently secure any ditches, shafts and openings in the floor etc. to ensure that nobody is injured. This applies in particular when leaving the work site. Dangerous areas must be secured to prevent slipping, or otherwise covered, cordoned off or secured in a similar fashion.

If safety equipment needs to be decommissioned, the coordinator must be informed about alternative measures. Before leaving the workplace, the safety equipment must be reactivated or other suitable safety measures must be taken to prevent any risk to third parties.

Before commencing hot work or work that generates dust (e.g. welding, cutting or sanding work etc.), the responsible person must obtain a written release (permit) from the coordinator. The Supplier must provide a sufficient quantity of extinguishing agents for hot work.

12 Access controls

It is prohibited to enter parts of the company not named in the work order. Exceptions include the social facilities, unless otherwise specified in the order.

There are other regulations governed by radiation protection laws that apply to access monitored and controlled areas. These must be agreed with the coordinator. Expectant mothers and persons under the age of 18 are not authorised to enter controlled areas.

13 Tidiness and cleanliness

All safety and information signs in the company, e.g. prohibition and warning signs, rescue and first aid signs, must be observed and may not be concealed or removed.

The workplace and the company grounds must always be kept clean and must be tidied immediately after the end of work or if soiled, and left in a tidy state.

14 Occupational medical care

The Supplier is responsible for ensuring that only those workers are deployed that have undergone all necessary medical check-ups.

15 Transport and storage

Only the paths and storage points designated by the coordinator may be used to transport and store parts. All traffic routes, even those inside buildings, must always be kept free. When transporting parts, suitable load securing measures must be taken. The maximum load-bearing capacity of false floors, platforms, scaffolds and constructions must be observed.

16 Alcohol and other intoxicating substances

It is prohibited to bring alcoholic beverages or any other intoxicating substances, including medicine into the company grounds. It is also prohibited to enter the company grounds under the influence of alcohol or any other intoxicating substances, including medicine.

17 Environment regulations

Waste must be avoided. The Supplier must take all packaging materials and material residues with him after work has been completed and dispose of this material correctly. Deviations from this ruling may be agreed in writing with the coordinator.

Any incidents involving possible pollution, e.g. unintended leaks of substances, must be reported directly via the emergency call centre and to the coordinator.

18 Emergency call

In the case of special incidents (e.g. fire, accidents involving injuries and pollution) on the company grounds, the Client's emergency call centre or the customer plant must be informed, who will then call out the external rescue services if necessary.

Sanitary rooms on the company grounds are available for use in the event of an emergency.

19 Reporting accidents and damage

In the event of an occupational accident or a near miss with large damage potential, the coordinator and the collective address unfallmeldung@framatome.com must be informed immediately. The coordinator works with the responsible person to take necessary action to analyse the cause. The Supplier will undertake to clarify in detail the circumstances of the accident and to take suitable action to prevent a repetition of an accident of this kind in the future. The days lost as a result of the accident must be reported to the coordinator.

Any damage or malfunctions in equipment belonging to the Client or customer equipment must be reported to the coordinator immediately.

20 Legal consequences in the case of breaches

If these Supplementary Conditions are breached, the Client is entitled, notwithstanding other rights emanating from statutory or contractual regulations, to permanently expel from the work site all Supplier's employees who breach these Supplementary Conditions. This does not relieve the Supplier from his contractual performance obligations. The Client also has the right to terminate the contract immediately for exceptional reasons or withdraw from the contract, if the reasons for the written reprimand relating to breaches of the health & safety regulations, the requirements of these Supplementary Conditions or defined coordination measures continue, whereby continuation is given after the first reprimand.

21 Indemnity obligation

The Supplier will indemnify the Client from any claims by third parties that are not attributable to the Client resulting from breaches to the respective health & safety and environment protection conditions, including the regulations of these Supplementary Conditions in connection with the work carried out by the Supplier.

22 Currency

These Supplementary Conditions can be called up on the Internet at:
<http://www.framatome.com/EN/businessnews-1218/suppliers.html>