

EBRD Performance Requirement 4

Health and Safety

Introduction

1. This Performance Requirement (PR) recognises the importance of avoiding or mitigating adverse health and safety impacts and issues associated with project activities on workers, project-affected communities and consumers.
2. Project activities, equipment and infrastructure may increase the potential for worker and community exposure to health and safety risks and impacts, including those associated with construction, operations and decommissioning, or of transport of raw and finished materials.
3. Clients have the primary responsibility to provide safe and healthy conditions for their workers and informing, training, supervising and consulting workers on health and safety. Workers have the responsibility to cooperate actively with their employer and take care of their own health and safety and the health and safety others.
4. While acknowledging the role of relevant authorities in protecting and promoting the health and safety of the public, the client has the duty to identify, avoid, minimise or mitigate the risks and adverse impacts health and safety of the affected communities that may arise from the project.
5. The objectives of this PR are to:
 - protect and promote the safety and health of workers by ensuring safe and healthy working conditions and implementing a health and safety management system, appropriate to the relevant issues and risks associated with the project.
 - anticipate, assess, and prevent or minimise adverse impacts on the health and safety of project-affected communities and consumers during the project life cycle from both routine and non-routine circumstances.
6. The potential risks and impacts to the workers and affected communities may vary according to the stage of the project, including construction, start-up, operation and decommissioning. Detailed requirements for the prevention and control of impacts on human health and the environment due to the release of pollution are found in PR 3; while those relating to labour and working conditions, other than worker health and safety, are addressed in PR 2.
7. Throughout this PR, the term “workers” is used to refer to the employees of the client, including part-time, temporary, seasonal and migrant workers, and non-employee workers engaged by the client through contractors or other intermediaries to work on project sites or perform work directly related to the core functions of the project.

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Scope of application

6. The client will, as part of its environmental and social assessment process, identify the relevant requirements of this PR, and how they

will be addressed and managed through the project life cycle. The implementation of the actions necessary to meet the requirements of this PR is managed as an integral part of the client’s overall Environmental and Social Management System (ESMS) and/or the project specific Environmental and Social Management Plan (ESMP), as provided in PR 1.

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Requirements

General requirements for health and safety management

9. The client will take steps to identify and prevent accidents, injury and disease to workers and affected communities arising from or associated with, or occurring in the course of the project activities and prepare and implement preventative measures and plans to manage health and safety risks in accordance with the mitigation hierarchy approach and GIP.
10. The client will provide workers and affected communities with relevant information, guidance and training relating to health and safety hazards, risks, protective and preventive measures and emergency arrangements that are necessary for their

safety throughout the project.

11. Where any accident, injury and disease arises or occurs in the course of works associated with the project, or there is a potential of such event, the client will investigate, document and analyse the findings and adopt measures to prevent reoccurrence and, where required by law, notify and cooperate with the relevant authorities.

Occupational health and safety

12. The client will provide workers with a safe and healthy workplace, taking into account inherent risks in its particular sector and specific classes of hazards that may be present. The client will identify the health and safety risks and protection measures appropriate to the stage, size and nature of the project in accordance with relevant substantive EU Occupational Health and Safety (OHS) standards¹ and GIP. The client will develop a project-specific health and safety plan, where appropriate, that will be integrated into the ESMS.
13. The client will implement occupational health and safety measures that will provide: (i) preventive and protective measures, including modification, substitution or elimination of hazardous conditions or substances; (ii) equipment to minimise risks, and require and enforce its use; (iii) personal protective equipment at no cost to the workers; and (iv) training to workers to use and comply with health and safety procedures and protective equipment. The client will require its non-employee workers, contractors and other third parties engaged to work on project sites or perform work directly related to the core functions of the project to comply with the health and safety plan.
14. During the course of any work activity the client will ensure that all workers are provided with continued and appropriate supervision to ensure adequate implementation, maintenance and enforcement of the health and safety measures.
15. The client will monitor the health of its workers and consult and encourage the workers to

participate in matters related to health and safety in the workplace. This shall include, although not be limited to, accident investigation, risk assessment and selection of work.

16. Where there are specific risks associated with certain work activities that could result in adverse effects on the health and safety of workers with sensitivities such as age, gender, disability or short- or long-term health conditions, the client will carry out a risk assessment and make adjustments to prevent injury and ill health.

Community health and safety

17. The client will identify and assess project-related risks and adverse impacts to the health and safety of the potentially affected communities and will develop protection, prevention and mitigation measures proportionate to the impacts and risks, and appropriate to the stage, size and nature of the project. The client will cooperate with the relevant authorities and other stakeholders, as appropriate, on mitigation measures and plans. These measures will be consistent with the mitigation hierarchy approach and GIP.
18. Measures to avoid or mitigate community health and safety impacts of the project may be the responsibility of the relevant public authorities. Under these circumstances, the client will clarify its role and its responsibility to notify and cooperate with the relevant authorities.

Specific requirements for health and safety management

Infrastructure, building, and equipment design and safety

19. The client will incorporate health and safety considerations into the design, construction, operation and decommissioning of the structural elements or components of the project in accordance with GIP, taking into consideration safety risks to third parties and affected communities. Structural elements will be designed and constructed by qualified and experienced professionals. Third-party life and fire safety audits should be undertaken both for existing buildings, which are used for communal purposes, and for

¹ EU OHS standards mean substantive requirements in EU legislative requirements in the field of safety and health at work setting out minimum health and safety requirements for the protection of workers.

new buildings prior to their commissioning or use.

20. The construction and major refurbishments of buildings used for communal purposes should be designed in accordance with the concept of universal access.²
21. When structural elements or components, such as dams, tailings dams or ash ponds, are situated in high-risk locations and their failure or malfunction may threaten the safety of workers and communities, the client will engage one or more qualified experts with relevant and recognised experience in similar projects, separate from those responsible for the design and construction, to conduct a review as early as possible in project development and throughout the stages of project design, construction, operation and commissioning.

Hazardous materials safety

22. The client will prevent or minimise the potential for worker and community exposure to hazardous materials that may be released by the project. Where there is a potential for workers and the affected community to be exposed to hazards, the client will exercise due care to avoid or minimise their exposure by modifying, substituting or eliminating the condition or substance causing the hazards.
23. Where hazardous materials are part of existing facilities or operations associated with the project, the client will exercise due care when conducting start-up and decommissioning activities in order to prevent exposure of the workers and the affected community to such hazardous materials. Where use of such materials cannot be avoided, the client will take the necessary measures for handling, storage and transport in accordance with GIP.
24. The client will take reasonable efforts to ensure the safe transport of raw materials, and products, and transportation and disposal of wastes, and will implement measures to avoid or control community exposure.

Product safety

25. Where the project involves production of and/

or trade in consumer products, the client should ensure product safety through good design and manufacturing processes, as well as adequate storage, handling and transportation for the product distribution. Good international practice should be followed, including general safety requirements specific to the product safety standards and codes of practice in a given business sector and country.

26. The client will identify and evaluate potential risks and impacts of their products on consumers' health and safety during the project assessment process. The approach to product safety should adhere to mitigation hierarchy and ensure adequate information on the product's health and safety risks is provided to consumers. For situations involving products which may pose serious health threats, the client will ensure product recall, and that product withdrawal policy and procedures are in place.

Services safety

27. Where the project involves provision of services to communities, the client should ensure safety and quality of such services through appropriate quality management systems to make sure that such services do not pose risks and impacts on workers or community health and safety.
28. Where the project involves the provision of public services, the client should incorporate the principles of universal access, to the extent possible.

Traffic and road safety

29. The client will identify, evaluate and monitor the potential traffic and road safety risks to workers and potentially affected communities throughout the project life cycle and, where appropriate, will develop measures and plans to address them. For projects that operate moving equipment on public roads and other forms of infrastructure, the client will seek to prevent the occurrence of incidents and injuries to members of the public associated with the operation of such equipment.
30. The client will take into consideration relevant EU road and traffic safety management standards,³ identify road safety measures and incorporate

² Universal access means free access for people of all ages and abilities in different situations and under various circumstances.

³ Consistent with the objectives of Directive 2008/96/EC of 19 November 2008 on Road Infrastructure Safety Management.

technically and economically feasible and cost-effective road safety components into the project design to mitigate potential road safety impacts on the local affected communities. Where appropriate, the client will undertake a road safety audit for each phase of the project and routinely monitor incident and accident reports to identify and resolve problems or negative safety trends. For clients with vehicles or fleets of vehicles (owned or leased), the client will provide appropriate training to workers on driver and vehicle safety. The client will ensure regular maintenance of all project vehicles.

Natural hazards

31. The client will identify and assess the potential impacts and risks caused by natural hazards, such as earthquakes, landslides or floods as these relate to the project.
32. The client will avoid and/or minimise the exacerbation of impacts caused by natural hazards or land use changes to which the project activities may contribute.

Exposure to disease

33. In order to help prevent or minimise the potential for worker and community exposure to diseases, taking into consideration differentiated exposure to and higher sensitivity of vulnerable groups, the client will develop appropriate mitigation in consultation with the relevant authorities. The client will take measures to avoid or minimise transmission of communicable diseases that may be associated with the influx of temporary and/or permanent project workers.
34. Where specific diseases are endemic in communities affected by the project, the client is encouraged to identify opportunities throughout the project life cycle to improve conditions that could help reduce their incidence, both among the workers and communities. The client will take measures to avoid or minimise transmission of communicable diseases that may be associated with the influx of temporary and/or permanent project labour.

Emergency preparedness and response

35. The client will be prepared to respond to incidents, accidents and emergency situations in a manner appropriate to the operational risks related to the project and the need to prevent or minimise their potential adverse impacts and in accordance with regulatory applicable requirements.⁴
36. The client will identify and assess major-accident hazards, and will take all measures necessary to prevent major accidents or limit their adverse impacts on workers, affected communities and the environment, with a view to ensuring high levels of protection to people and the environment in a consistent and effective manner. Such measures will be identified in a major-accident prevention/emergency preparedness policy and an appropriate management plan, integrated into the client's overall ESMS. This plan will include organisational structures, responsibilities, procedures, communication, training, resources and other aspects required to implement such policy to ensure the client has the capacity to respond effectively to emergencies associated with project hazards, with the overall objective to:
 - prevent, contain and control incidents so as to minimise the effects, and to limit damage to people, the environment and property
 - implement measures necessary to protect people and the environment from the effects of major accidents
 - communicate the necessary information to relevant emergency services or authorities, as well as to the potentially affected workers and public
 - provide for the restoration and clean-up of the environment following a major accident.
37. For projects where major-accident risk is present, the client will assist and cooperate with the relevant authorities and the project affected community in their preparations to respond effectively to emergency situations. If local authorities or responders have little or no capacity to respond effectively, the client will play an active role in preparing for and responding to emergencies associated with the project, and will provide adequate evidence to demonstrate capacity to respond to reasonably predictable incidents, either directly or indirectly.

⁴ As elaborated by Directive 2012/18/EU of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (EU SEVESO III Directive).