

# ACCOMMODATION

## FOR RURAL AGRICULTURAL WORK

CODE OF PRACTICE 2006

**Disclaimer**

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## What is a code of practice under the *Rural Workers Accommodation Act 1969*?

A code of practice is a practical guide to persons who have duties under the rural workers accommodation legislation.

An industry code of practice is approved by the Minister administering the *Rural Workers Accommodation Act 1969* (RWA Act). It comes into force on the day specified in the code or, if no day is specified, on the day it is published in the NSW Government Gazette. An approved industry code of practice may be amended from time to time (or it may be revoked) by publication in the Gazette.

A code of practice should be observed unless an alternative course of action that achieves the same or a better level of health, safety and welfare is being followed.

A code of practice is intended to be used in conjunction with the requirements of the RWA Act but does not have the same legal force. A code of practice is advisory rather than mandatory. However, in proceedings for an offence under the RWA Act, failure to observe a relevant provision of a code of practice is admissible in evidence.

A WorkCover Authority inspector can draw attention to an approved industry code of practice in an improvement or prohibition notice as a way of indicating the measures that could be taken to remedy an apparent contravention of, or non-compliance with, the RWA Act. Failure to comply with an improvement or prohibition notice without reasonable excuse is an offence.

In summary, a **CODE OF PRACTICE**:

- gives practical guidance on how health, safety and welfare at work can be achieved
- should be observed unless an alternative course of action that achieves the same or a better level of health, safety and welfare is being followed
- can be referred to in support of the preventive enforcement provisions of the legislation
- can be used as evidence to support a prosecution for failing to comply with or contravening the legislation.

## Foreword

This code of practice has been produced by the WorkCover Authority of NSW to provide practical advice on the type and nature of accommodation that is suitable to be provided pursuant to the *Rural Workers Accommodation Act 1969*. This will be particularly useful for controllers of rural premises (who may include landholders, contractors and employers) who have the legal obligation to provide accommodation for workers in certain circumstances. It will also be useful for employees and their representatives.

The *Rural Workers Accommodation Act 1969* contains the obligation to provide accommodation where a worker is required to work at a rural premises in an agricultural or pastoral occupation for 24 hours or more. This code of practice outlines these requirements and provides guidance on relevant factors that should be considered. While it recommends courses of action it should not be regarded as prescriptive.

This code of practice will assist controllers of rural premises by providing guidance on sleeping accommodation and related facilities for those employees or workers who are resident. It provides detailed guidelines on accommodation, including general building requirements and facilities for storage of personal belongings, changing clothes, washing/showering, drinking water, toilets, shelter, sleeping, cooking, food storage, and dining. This will help to promote a healthy and safe work environment that protects all workers from injury and illness and that is adapted to their physiological and psychological needs.

This code of practice does not include information relating to the provision of amenities to rural workers. Obligations and guidance regarding amenities are contained in the *Occupational Health and Safety Regulation* and the *Code of practice: workplace amenities*.

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# Chapter 1 – Establishment

## 1.1 Title

This is the *Code of practice: accommodation for rural agricultural work*.

## 1.2 Purpose

This code of practice provides practical guidance to persons who have control of premises with respect to the type and nature of accommodation that is suitable to be provided to rural workers pursuant to an obligation under the *Rural Workers Accommodation Act 1969* (RWA Act).

## 1.3 Scope

This code of practice applies to the provision of accommodation for persons engaged in agricultural or pastoral work at a rural premises in New South Wales, where required by the RWA Act.

This code of practice covers employees and contractors engaged in an agricultural or pastoral occupation. It applies irrespective of whether these workers are engaged on a permanent or temporary basis.

This code of practice does not apply to construction work when building rural workers' accommodation, apart from minor construction or maintenance when carried out as part of normal agricultural work. The *Code of practice: amenities for construction work* applies to construction projects.

## 1.4 Application of code of practice for workplace amenities

Amenities for rural workers are covered by the *Code of practice: workplace amenities*, regardless of whether accommodation is provided, and that accommodation is covered by this code. In some situations, both codes of practice will need to be consulted to ensure adequate amenities are provided to workers when not using the amenities provided with the accommodation.

## 1.5 Commencement

This code commences on the date of commencement of the *Rural Workers Accommodation Amendment Act 2005*, 1 July 2006.

## 1.6 Authority

This an industry code of practice, approved by the Minister under section 12 of the RWA Act, by virtue of section 26 of the *Interpretation Act 1987*.

## 1.7 Definitions

Definitions used in this code have the same meaning as in the *Occupational Health and Safety Act 2000* (OHS Act), the *Occupational Health and Safety Regulation 2001* (OHS Regulation), or the RWA Act.

The following terms are used in this code of practice with these meanings:

<b>accommodation</b>	means residential accommodation.
<b>agricultural or pastoral occupation</b>	means work in or in connection with: <ul style="list-style-type: none"><li>(a) the sowing, raising, or harvesting of crops of grain, fodder, sugar cane, fruit, or any other crop or farm produce whether grown for food or not, or</li><li>(b) the management, rearing, grazing or feeding of animals that are being kept or raised for a commercial purpose, or</li><li>(c) shearing or crutching of animals, or</li><li>(d) scouring, sorting or pressing of wool, or</li><li>(e) dairying, or</li><li>(f) any other occupation carried on in connection with, or as ancillary to, an occupation mentioned in paragraph (a), (b), (c), (d) or (e) of this definition.</li></ul>
<b>controller of rural premises</b>	means the landholder of the rural premises where the work is being carried out for which accommodation is required under section 5 of the <i>Rural Workers Accommodation Act 1969</i> .
<b>employer</b>	means a person who employs persons under contracts of employment or apprenticeship.
<b>employee</b>	means an individual who works under a contract of employment or apprenticeship.
<b>rural premises</b>	means farm, orchard, pastoral holding or other agricultural or rural holding.
<b>rural worker</b>	means a person who works at rural premises in an agricultural or pastoral occupation.

## 1.8 Interpretation of this code of practice

### Legal requirements

In this code, words such as 'must' or 'requires' indicates a legal requirement of an Act or Regulation. It is essential that controllers of rural premises or other persons responsible comply with these requirements.

### Recommended practices

In this code, the word 'should' indicates a recommended course of action. This indicates a minimum course of action in order to observe this code.

Words such as 'consider' or 'may' indicate matters which may be determined between alternative options.

While this code provides minimum recommendations, controllers of rural premises or other responsible persons can choose an alternative method of achieving the same or a higher standard of health, safety and welfare.

## Chapter 2 – Application of this code of practice

### 2.1 Provision and maintenance of residential accommodation

**The *Rural Workers Accommodation Act 1969* (Section 5) requires that a person who has control of rural premises must provide suitable accommodation to a rural worker who works at the rural premises if due to the nature of the work, the rural worker must live for a period exceeding 24 hours at or near the rural premises.**

The person in control of the rural premises is usually the landholder. In some cases the landholder may also be the employer.

Accommodation may also be expressly or implicitly required to be provided by the industrial awards, agreements or contracts that apply in a given situation (see also section 2.2 below).

Employers, controllers of rural premises and others also have related responsibilities under the occupational health and safety legislation. In particular, employers are required to ensure the health, safety and welfare at work of their employees. Where these duties overlap with the duty to provide accommodation, then these obligations should be discharged in a coordinated manner. For example, an employer who is a labour hire firm providing fruit pickers should make suitable arrangements with the landholder responsible for the premises where the work is carried out.

Employers, contractors, self-employed persons, owners, and controllers or occupiers of workplaces should consult with each other about observing the recommendations of this code and the provision of amenities and accommodation at each particular site.

Ways of meeting the obligation to provide accommodation are described in chapter 3 of this code of practice.

### 2.2 Allocating the costs of providing amenities and accommodation

Section 6 of the RWA Act requires accommodation is to be provided free to the worker, subject to any provisions for costs in applicable Commonwealth or State industrial instruments. This section applies despite anything to the contrary in the OHS Act. Some awards provide for variation of wages or deductions if accommodation is provided, or allowances for off-site accommodation.

### 2.3 Workers' obligations

Upkeep and housekeeping of accommodation during occupancy or tenancy is the responsibility of the workers concerned. Workers should ensure that the standard of facilities is maintained by keeping the premises clean and tidy, disposing of refuse properly, and only using the facilities for their intended purposes.

When finishing the period of work, the facilities should be left clean by the workers in a condition similar to that in which the workers found them.

## **2.4 Other legal requirements relating to altering, renovating or constructing accommodation buildings**

Persons responsible for carrying out major alterations, renovations or construction of buildings for use as accommodation should ensure that the alterations, renovations or construction of those buildings meet the requirements for design, siting, construction and fit-out specified in the *Building Code of Australia* (BCA).

New buildings or extensions will ordinarily require local government planning and development consent under the *Environmental Planning and Assessment Act 1979* and must comply with the BCA. Where there is no consent authority, such as in the Western Lands District, or where the BCA does not apply, the principles of the BCA should still be applied.

## **2.5 Construction work at a rural premises**

Where the provision of accommodation requires the construction of new buildings or the structural alteration of existing buildings, amenities should be provided for construction workers by their employer or the principal contractor during the construction phase. Refer to the *Code of practice: amenities for construction work*, available from WorkCover NSW.

If new buildings or amenities are being constructed, the *Code of practice: electrical practices for construction work*, available from WorkCover NSW, should be observed for temporary construction work and amenities.

## Chapter 3 – Guidance on specific aspects of accommodation

This guidance on suitable numbers of facilities and dimensions should be followed where reasonably practicable and relevant. In some cases, a solution to one requirement may also satisfy another requirement. For instance, a fully lockable room may satisfy the requirement for lockable storage to be provided.

### 3.1 General provisions for permanent facilities

#### 3.1.1 Location of buildings, facilities or structures

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Accommodation and associated amenities should be located in a safe and convenient location.	<ul style="list-style-type: none"><li>(a) Facilities should be sited so as to:<ul style="list-style-type: none"><li>(i) prevent any flooding or dampness caused by rising or running water,</li><li>(ii) avoid exposure to overflow, run-off or escaping material of any kind,</li><li>(ii) be an appropriate distance from any source of noise, odour, sources of infection or other work processes (unless other measures provide protection) and</li><li>(iv) be away from hazards that may attract flies, snakes or other vermin (unless screening or proofing provides adequate protection).</li></ul></li><li>(b) Areas directly used for amenities or accommodation should not be used for other purposes, including other work tasks, or the storage of materials or products. However, the inclusion of amenities within a multi-purpose facility is acceptable. Livestock should not be kept within a close proximity of amenities or accommodation unless there is an adequate physical separation between the two.</li><li>(c) Facilities should be located within reasonable walking distance – preferably not more than 200 metres from the actual work site, unless transportation is provided, except if impracticable due to the nature or location of the work. If transport is used, the facilities should be within a reasonable walking distance from the on-site parking area, transport terminus or suitable roads.</li><li>(d) Facilities should be located near each other. For example, an amenity such as eating accommodation should be convenient to toilet and hand washing facilities.</li></ul>

Existing buildings, such as the homestead, may be used to provide facilities where appropriate and depending on the circumstances.

### 3.1.2 Design and construction

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Structures should be solidly constructed, weatherproof and have a solid, level floor. Adequate lighting, heating, cooling, ventilation and vermin proofing are important factors to consider. Waterproofing is essential.	<ul style="list-style-type: none"><li>(a) All building structures should comply with the <i>Building Code of Australia</i> and applicable state and local government environmental, planning, construction and operational legislation, codes or other requirements.</li><li>(b) The design and construction materials of all building structures should be appropriate to the location of the worksite, and ensure protection from the sun, water, and wind. To the extent practicable, structures should provide protection against heat, cold, dust, insects and vermin. Doors, windows, chimneys and other openings should be effectively screened against insects.</li><li>(c) Surfaces should be finished to allow for regular and easy cleaning and maintenance of cleanliness, where relevant (eg around kitchen and toilet areas).</li></ul>

### 3.1.3 Access and egress

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Access to and egress from all buildings, structures and facilities within buildings must be safe and should be suitable for the number of workers using the facilities.	Clear and safe access and egress should be maintained at all times. This includes adequate lighting if the accommodation or amenity is used at night or periods of low-level ambient light such as early morning or evening.

### 3.1.4 Electrical safety

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Buildings and facilities must be designed and maintained to comply with electrical safety standards.	<ul style="list-style-type: none"><li>(a) Earth leakage devices or RCD units should be used.</li><li>(b) Particular attention should be paid to electrical hazards where temporary sources of power and heating are used. Some types of portable buildings have concealed internal wiring, and care must be taken if the walls or ceilings are punctured during modifications or while fitting attachments.</li><li>(c) Extension cords, supply cords and electrical appliances used in facilities such as kitchens should be checked regularly.</li></ul>

### 3.1.5 Fire safety

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Buildings and facilities must be designed and maintained to comply with fire safety standards to ensure risks of fires are minimised.	<ul style="list-style-type: none"><li>(a) This will include attention to fire detection systems (eg smoke detectors), fire extinguishers (or a garden hose where appropriate), and good housekeeping.</li><li>(b) Particular attention should be paid to fire risks where temporary sources of power and heating are used.</li><li>(c) Fireplaces and heaters need to be properly constructed and guarded. Fireplaces and heaters with open flames should not be used to dry clothes.</li><li>(d) Cylinders of gas (eg LPG for cooking) should not be used or kept indoors unless the area is well ventilated. Not more than three large LP Gas cylinders (45 kg) can be kept indoors. Cylinders must be kept upright and restrained from falling over. Gas cylinders should not be used inside areas that may be easily flammable such as shade structures or tents. Gas cylinders must be tested every 10 years (the test date is stamped on the cylinder or collar around the valve) – this is normally checked each time the cylinder is filled.</li><li>(e) Any heating or other powered equipment should be:<ul style="list-style-type: none"><li>(i) fixed in position or of a design that prevents it being tipped over or otherwise placed in a dangerous position; and</li><li>(ii) of a design or fitted with a means that prevents overheating.</li></ul></li><li>(f) Kitchens should have a fire blanket in case of fires during cooking.</li></ul>

### 3.1.6 Environment — protection from the weather, heating, cooling, and ventilation

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Protection from the weather, particularly from the sun and rain is important for all facilities.	<ul style="list-style-type: none"><li>(a) All facilities must have adequate lighting and ventilation, and where appropriate and practicable, a means of heating and/or cooling.</li><li>(b) Where extremes of weather affect the comfort of workers, the employer should also consider ways in which this discomfort can be minimised, for example, by providing additional blankets or quilts unless otherwise agreed to be supplied by the worker.</li><li>(c) Further health and safety advice, especially in relation to strenuous work, can be found in the <i>Code of practice: work in hot or cold environments</i>.</li></ul>

### 3.1.7 Clean water

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Clean water should be supplied for use in all amenities and accommodation.	All water supplied for amenities and accommodation should come from water supplies or tanks that are free from contamination, sediment and rust.

### 3.1.8 Disposal of waste water and other material

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Drainage, disposal of waste water and disposal of waste should be appropriate so as to ensure the safety and hygiene of workers.	<ul style="list-style-type: none"><li>(a) Adequate drainage is necessary to prevent flooding and contamination of areas and to ensure hygiene.</li><li>(b) Waste water, sewage, food and other refuse and any other waste material from amenities should be adequately discharged, or stored and disposed of, so as to ensure safety and hygiene for all workers.</li></ul>

### 3.1.9 Maintenance and cleaning of facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Clause 19 of the OHS Regulation provides that accommodation provided for the welfare of employees because of the circumstances of their work, must be maintained in a safe and healthy condition. All accommodation facilities should be maintained to a tidy, clean and sanitary standard.	<ul style="list-style-type: none"><li>(a) The cost of maintenance and cleaning of facilities should be borne by the employer, person or company responsible for providing the accommodation.</li><li>(b) An adequate supply of cleaning and personal hygiene equipment and materials such as mops, brooms, cleaning agents, disinfectant, soap, toilet paper and hand towels should be maintained, the cost borne by the person or company responsible for providing the accommodation.</li><li>(c) Once occupied, upkeep and housekeeping of the accommodation during occupation or tenancy should be the responsibility of the workers concerned. Workers should ensure that the standard of facilities is maintained by keeping the premises clean and tidy, disposing of refuse properly, and only using the facilities for their intended purpose. When finishing the period of work, the facilities should be left clean by the workers in a condition similar to that in which the workers found them.</li></ul>

### 3.1.10 Lighting

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Lighting must be adequate to ensure safety of all workers in accommodation and for accessing and exiting accommodation.	Lighting must be adequate to ensure safe movement and operation at the site or premises, including amenities and accommodation (OHS Regulation clause 46). This includes times of low ambient light (eg early morning or evening).

### 3.1.11 Specific provisions for groups

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Additional provisions should be applied where the workforce is larger than five workers and a mix of men and women.	<p>Most of the recommendations for accommodation detailed in this chapter apply regardless of the number or composition of workers at the workplace (ie regardless of whether the workforce contains only men, only women, or some men and some women).</p> <p>However, where the workforce is larger than five workers and a mix of men and women, separate facilities for women and men should be provided for certain amenities and accommodation. Details are provided in the relevant sections – changing clothes, washing, showering, and sleeping accommodation and toilets.</p>

## 3.2 Sleeping accommodation

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>Where practicable, a building used for sleeping accommodation should be located:</p> <ul style="list-style-type: none"> <li>• within a reasonable distance from the work task location but sufficiently far away from any work process, livestock, other animal, material or equipment so as to not be exposed to noise, waste products, odours, chemical, electrical or other hazards, and</li> <li>• within reasonable distances from associated amenities including toilets, washing facilities, a food storage and preparation area, dining facility, drinking water and laundry facility.</li> </ul> <p>Rooms provided for sleeping accommodation should not be used for the storage of food, the cooking of meals or for dining.</p>	<p>(a) Where a building used for sleeping accommodation is divided into compartments or rooms, the partitions should be:</p> <ul style="list-style-type: none"> <li>• built from floor to ceiling, and</li> <li>• constructed of suitable framing and lining material so as to provide reasonable sound insulation and visual security from adjoining rooms or compartments.</li> </ul> <p>(b) The minimum floor area of a sleeping room or compartment should be of a sufficient size to allow each person sufficient space to rest comfortably. Suitable minimum dimensions are:</p> <ul style="list-style-type: none"> <li>• 11 square metres where the space accommodates two workers or</li> <li>• 5.5 square metres where the space accommodates one worker.</li> </ul> <p>(c) Not more than two persons should be required to sleep in any one room or compartment. Dormitory style sleeping accommodation is not suitable, unless unavoidable circumstances arise like inclement weather (preventing workers from leaving the workplace), or where workers voluntarily choose to reside on the premises for up to four nights.</p>

Each sleeping room or compartment should meet the privacy and security needs of its occupants and their belongings. It should have a lockable door, to which the occupants are provided a key which they must surrender at the end of their occupation of the room or compartment, or other arrangements made to secure the personal belongings of workers (see section 3.3).

- (d) Where there are men and women resident at the workplace, separate accommodation should be provided for men and women, regardless of the number of workers using the accommodation. That is, a man and a woman should not be required to share one sleeping room or compartment.
- (e) Where the number of workers resident is 20 or more, sleeping accommodation for any women residents should be provided in a separate building or area of a larger building.
- (f) Each sleeping room or compartment should be equipped with at least:
  - (i) One or two single beds of good sound quality, comprising a base and mattress. Mattresses need to be of an acceptable community standard, and not soiled or stained, and have a laundered mattress cover.
  - (ii) Bunk beds are not suitable.
  - (iii) A pillow and cover for each bed.
  - (iv) A chair for each occupant.

### 3.3 Storage facilities for personal belongings

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
Suitable storage should be provided for personal items belonging to workers.	(a) Permanent storage for personal belongings or clothing should be:
Permanent storage for clothing and personal belongings should be provided.	(i) located in an accessible and secure place,
Where storage is required, the following elements should be considered:	(ii) positioned so that there is reasonable space to change clothing or otherwise arrange belongings in the immediate proximity of the storage area or locker,
(i) accessibility	(iii) large enough to store the required items,
(ii) security	(iv) lockable, and
(iii) size	(v) fitted with sufficient clothes hooks, hanging rails and shelves as appropriate.
(iv) weather protection	(b) Suitable storage facilities should be provided where an employer or controller:
(v) avoiding contamination from dirty clothing.	(i) requires a worker to provide particular equipment, such as tools; or
	(ii) provides workers with tools or equipment which becomes their responsibility once issued.

### 3.4 Facilities for changing clothes

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>The employer should make provision for workers to change their clothes.</p> <p>Consider the following factors when making allowances for this provision:</p> <ul style="list-style-type: none"> <li>(i) adequate space for hanging clothes</li> <li>(ii) enough room to allow for the number of workers who need to change simultaneously, if required</li> <li>(iii) suitable seating, light and ventilation.</li> </ul>	<ul style="list-style-type: none"> <li>(a) The facilities should be appropriate for the circumstances for which they are provided and the number and gender mix of workers who may simultaneously be using them. The homestead may provide a suitable facility.</li> <li>(b) Where both men and women are required to use the facilities, then doors should be latchable in order to ensure privacy of the workers.</li> <li>(c) Change rooms should be separate from other parts of the workplace and used only as a change room.</li> <li>(d) Change rooms should be located conveniently to toilet, showering and washing facilities.</li> <li>(e) Change rooms should contain adequate space for hanging clothes, such as a reasonable number of clothes hooks spaced apart.</li> </ul>

### 3.5 Shower facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>Showering facilities are needed for personal hygiene and should be provided in conjunction with accommodation.</p> <p>Suitable shower facilities should be provided where accommodation is provided.</p>	<ul style="list-style-type: none"> <li>(a) The facilities should be appropriate for the circumstances for which they are provided and the number and gender mix of the workers who may be simultaneously using them. The homestead shower may be a suitable facility.</li> <li>(b) The following factors should be considered: <ul style="list-style-type: none"> <li>(i) adequate space for hanging clothes</li> <li>(ii) enough showers to allow for a number of workers to shower simultaneously</li> <li>(iii) suitable light, ventilation and soap is provided</li> <li>(iv) the floor is non-slip material</li> <li>(v) the shower has a curtain or door to ensure privacy and contain water spray</li> <li>(vi) warm or hot water should be provided.</li> </ul> </li> <li>(c) Where men and women will need to use the facilities, then doors should be latchable in order to ensure privacy of the workers.</li> <li>(d) Showers should be provided at the rate of at least one per every 10 workers or part thereof.</li> </ul>

- (e) Where there are fewer than five workers, a single shower is adequate, however the privacy and security of all workers should still be ensured. Having a latchable door, an 'engaged' sign and instructing workers on their responsibility to ensure the privacy of others are ways of achieving this.
- (f) Facilities should be protected from the weather, and be under cover. They should be located within reasonable proximity to the accommodation and adjacent to change rooms.
- (g) Clean hot and cold water should be provided to the shower facilities.
- (h) Where shower cubicles or enclosures also contain, or are directly adjacent to, the clothes changing area, suitable mats should be provided to the floor of the clothes changing area so as to provide a dry footing for users.

### 3.6 Hand washing facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>Hand washing facilities should be provided for all workers to ensure personal hygiene.</p> <p>Hand washing facilities should be appropriately located and in sufficient number depending upon the number of workers.</p>	<ul style="list-style-type: none"> <li>(a) Hand washing facilities, consisting of clean water, soap and a hygienic means of drying hands, or other suitable hand cleaning agents, must be provided to all workers.</li> <li>(b) These facilities should be:               <ul style="list-style-type: none"> <li>(i) protected from the weather (eg under cover)</li> <li>(ii) readily accessible</li> <li>(iii) provided with hot water.</li> </ul> </li> <li>(c) Facilities should be located within reasonable proximity to the actual work site and adjacent to toilets, dining facilities and/or change rooms.</li> <li>(d) Hand washing facilities should be provided at the rate of at least one wash basin per 10 workers or part thereof.</li> <li>(e) Separate facilities, at the rates in (d) above, should be provided for men and women if the number of workers at the workplace exceeds five at any one time.</li> <li>(f) Basins or wash trough points should be suitably spaced apart for persons to adequately wash themselves.</li> </ul>

### 3.7 Toilet facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
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Clean and hygienic toilets must be provided in conjunction with accommodation.

- (a) Toilets should not be located too far away from any sleeping, dining or cooking facilities. As a guide, the location should not be more than 55 metres from any sleeping, dining or cooking facilities.
- (b) Each toilet enclosure should:
  - (i) be of a reasonable size
  - (ii) be soundly constructed, on a well drained, waterproof base
  - (iii) be weatherproof
  - (iv) have adequate ventilation and lighting
  - (v) have adequate exterior lighting so as to ensure the safety and security of users
  - (vi) be fitted with a door capable of latching from the inside
  - (vii) have a hinged seat and lid
  - (viii) be supplied with adequate toilet paper
  - (ix) include measures to keep out flies, snakes and vermin
  - (x) be serviced regularly to ensure it is operating properly.
- (c) An adequate number of toilets should be available, appropriate to the size and gender mix of the workforce. Toilets for men and women should be clearly marked as such.
- (d) Toilets for workers should be provided at the following rates, as provided by the BCA:

	Toilet (Closet) pans	Urinals*
<b>Resident men</b>	At least 1 per 10 persons or part thereof	1 per 25 persons or part thereof
<b>Resident women</b>	At least 1 per 10 persons or part thereof	Not applicable

\* Urinals are not mandatory. Where urinals are provided for resident men, the number of pans decreases to a ratio of at least 1 per 12 resident men or part thereof.

- (e) Where there are five or fewer workers (of both sexes), a single toilet is adequate, however the privacy of all users should be ensured. Having a latchable door, an 'engaged' sign, and instructing workers on their responsibility to ensure the privacy of others are ways of achieving this.

- (f) Where possible toilets should be connected to the sewer or septic waste disposal system. If that is not possible, self-contained flushing or open closet portable toilets should be provided. Other suitable systems include bio-cycle, enviro-cycle, chemical or organic. Long drops are not suitable.
- (g) Toilets not connected to the sewer or septic system should be cleaned and stocks replenished regularly to ensure that they remain in a sanitary condition. As a minimum, this should be at least once every two weeks for a toilet used by up to five persons and at least once every week for a toilet used by more than five persons.
- (h) Adequate and hygienic means for the disposal of sanitary items should be provided for women.

### 3.8 Laundry facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>Workers need to wash their work and non-work clothes on a regular basis. Access to facilities should be sufficient for the number of workers involved.</p>	<ul style="list-style-type: none"> <li>(a) Workers who are required to remain 'in residence' for over seven days should be provided with access to a laundry facility equipped with:               <ul style="list-style-type: none"> <li>(i) sinks or tubs with hot and cold running water</li> <li>(ii) washing powder and/or detergent, and a scrubbing brush</li> <li>(iii) bench or table for preparing and sorting clothes</li> <li>(iv) storage space for laundry requisites</li> <li>(v) washing machine</li> <li>(vi) dryer and/or clothes line</li> <li>(vii) iron and ironing board.</li> </ul> </li> <li>(b) As an alternative to the facilities in (a) above, the employer may provide a laundry service.</li> </ul>

### 3.9 Dining facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>Dining facilities are to be provided in conjunction with accommodation.</p>	<p>(a) An under cover and preferably fully enclosed area should be provided for workers to eat their meals.</p>
<p>Provides a hygienic area to eat meals by reducing the likelihood of food being contaminated by substances used at work or by infectious agents, through the use of physical barriers such as structures or distance.</p>	<p>(b) The structure housing the dining area should be solidly constructed, weather proof and have a solid, level floor. It should have adequate lighting, heating, cooling, ventilation and insect screening.</p>
<p>Seating with back support helps to reduce back stress.</p>	<p>(c) The dining area should be separate from any work area where the work involves exposure to dirt, chemicals, animals or any other process or substance that may be dangerous or unhygienic. It should be in a readily accessible but separate building, or separated by partitioning.</p>
<p>These facilities should be located as closely as possible to other amenities such as washing facilities and change rooms, where practicable.</p>	<p>(d) It is preferable to provide a dedicated dining area.</p>
<p>Each dining facility should be:</p>	<p>(e) Each dining area should be equipped with:</p>
<p>(i) of reasonable size relative to the number of workers using it at any one time</p>	<p>(i) adequate numbers of suitable tables of a suitable size</p>
<p>(ii) weatherproof,</p>	<p>(ii) adequate seating for the numbers of persons likely to use the facility at any one time</p>
<p>(iii) have adequate ventilation and lighting</p>	<p>(iii) a refrigerator of adequate size to store perishable foods brought to the workplace by workers</p>
<p>(iv) have adequate tables and chairs</p>	<p>(iv) an appropriate means of boiling water, such as a fixed or portable urn or kettle</p>
<p>(v) be constructed of materials that are easy to clean.</p>	<p>(v) food warming appliances of a size appropriate to the number of users of the facility</p>
	<p>(vi) a sink unit of adequate size, with a supply of clean water, connected to a sewerage, septic or other appropriate waste system</p>
	<p>(vii) a suitable space or shelving for storage of workers' provisions, such as food and utensils</p>
	<p>(viii) an adequate supply of food preparation utensils, cutlery and crockery</p>
	<p>(ix) garbage bins with lids for the disposal of refuse.</p>
	<p>(f) An adequate supply of cool, clean drinking water must be provided and readily accessible.</p>
	<p>(g) All water should come from water supplies or tanks that are free from contamination, sediment and rust.</p>

### 3.10 Cooking and food storage facilities

PERFORMANCE CRITERIA	SUGGESTED SOLUTIONS
<p>Needed to preserve and prepare food brought by workers for their own consumption and to store food and prepare meals.</p> <p>The employer should ensure that workers have access to:</p> <ul style="list-style-type: none"> <li>(i) refrigerators and/or freezers</li> <li>(ii) food cooking or warming appliances</li> <li>(iii) sinks</li> <li>(iv) boiling water</li> <li>(v) cooking utensils, cutlery and crockery</li> <li>(vi) garbage bins or other refuse disposal.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Facilities should be appropriate for the number of resident workers.</li> <li>(b) The area provided for cooking and food storage should be separate from but adjacent to the dining area.</li> <li>(c) The facility should be equipped with the following items: <ul style="list-style-type: none"> <li>(i) a freezer of adequate size to store perishable foods in sufficient quantities to supply resident workers</li> <li>(ii) a refrigerator of adequate size to store perishable foods in sufficient quantities to supply resident workers</li> <li>(iii) an appropriate means of boiling water, such as a fixed or portable urn, or kettle</li> <li>(iv) food cooking and warming appliances of a size and type appropriate to the number of users of the facility. This would usually be a fixed oven and stove elements or burners</li> <li>(v) a sink unit of adequate size, with a supply of clean water, connected to a sewerage, septic or other appropriate waste system</li> <li>(vi) a suitable space or shelving for storage of provisions, such as food and utensils</li> <li>(vii) an adequate supply of utensils, cutlery and crockery for food preparation and eating</li> <li>(viii) garbage bins with lids for the disposal of refuse (and suitably fly and vermin proofed).</li> </ul> </li> <li>(d) Where at the one workplace, some workers are resident and some are not, each group of workers could have dedicated food storage and cooking facilities. However, where facilities are shared, administrative arrangements should ensure that shared use does not result in problems such as conflicts over access to facilities, or use by non-resident workers of food provided for or owned by resident workers.</li> </ul>

## **Chapter 4 – Obtaining more information**

### **4.1 WorkCover documents**

*Code of practice: workplace amenities.* Cat No. 318

*Code of practice: work in hot or cold environments.* Cat No. 309

*Code of practice: electrical practices for construction work,* should be observed for temporary construction work facilities. Cat No. 301

*AS/NZS 3760 In-service safety inspection and testing of electrical equipment* (an approved industry code of practice).

*Guide: Drugs and alcohol in the workplace.* Cat No. 1359

### **4.2 Other sources of OHS and workers compensation information**

For a comprehensive range of other codes of practice, guidance material and information on occupational health and safety, injury management and workers compensation, contact WorkCover NSW on **13 10 50** or go to [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

# Appendix 1 – Accommodation checklist

You can use this to plan and evaluate your own facilities.

## Facilities provided

*Consider the following*

Storage of belongings


Changing clothes (change rooms, size, location)


Hand washing (basins, taps, water supply)


Showers and washing (number of showers, location)


Toilets (number, sex ratio, location)


Drinking water (locations, water supply, cups etc)


Dining and eating (size, location, number of seats and tables)


Sleeping accommodation (type, number of beds, location)


Cooking and food storage for residents (location)


Laundry for residents (type, location)


Cleaning and maintenance (describe procedures, materials provided and how often)


**Checking that facilities are adequate**

*Consider: when are checks to be made, how this is to be done and who will do it.*







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