

Luxembourg

Health & Safety Manual

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1.0 Introduction

1.1 Health and Safety Manual

The purpose of the Luxembourg Health & Safety(H&S) Manual is to detail the local H&S country specific requirements where they differ from the Group H&S Manual.

1.2 Health and Safety Structure

The Group H&S arrangements and management structure take precedent. This local H&S Manual highlights additional local requirements for Luxembourg location only.

1.3 Health and Safety Responsibilities

Facility Management Section is responsible for the content, preparation and updating of this manual.

1.4 Document Updates

The manual will be updated and supplemented on an ongoing basis in cooperation with the ASTF (Association pour la Santé au Travail du Secteur Financier – the Luxembourg Financial Sector's Health Association) to reflect statutory guidelines and regulations.

2.0 Organisation of Health and Safety

2.1 Management

Please refer to the Group H&S Organisational Structure available on the intranet.

2.2 Employees

All employees must abide by the health and safety regulations. They are also obliged to report any shortfalls to the responsible party immediately, or to rectify them if this can be done safely.

2.3 Staff Council

In Luxembourg, staff council members must ensure that the employer complies with the health and safety guidelines. Moreover, they are responsible for proposing measures and collecting employee suggestions, as well as working towards the implementation of these measures and suggestions.

2.4 Overview of the Health and Safety Organisation

2.4.1 Organisation & administration

Please refer to DBG H&S organisational structure, available on the intranet.

2.4.2 Comité Mixte

The “Comité Mixte” comprises of employer and employee representatives with equal standing and has to be established in all industrial, skilled trade, and trading businesses that have employed at least 150 people over the past three years.

The employer representatives of a Comité mixte are determined by the company, while the employee representatives are elected from the company’s employees by the Personnel Committee.

The Comité mixte meets a minimum of three times a year at the invitation of the employer to discuss and make decisions on health and safety issues. Trade union representatives can participate in these meetings. The employer or its representative chairs these meetings.

The Comité mixte has co-determination rights with respect to the implementation of health and safety measures.

The Comité mixte must be involved in:

- Setting up, altering or expanding production facilities or administrative operations.
- Introducing, improving, renovating or altering facilities and equipment.
- Introducing, improving, renovating or altering workflows and production methods.
- Planning workstations.
- The Comité mixte right to information is determined on the basis that the employer and the Comité mixte should have access to the same level of information on health and safety in order to meet their responsibilities.

As part of its monitoring duty, the Comité mixte is entitled and obliged to inform the employer or managerial staff of any shortfalls concerning health and safety, and to work towards the elimination thereof.

2.4.2 Communication

Health and Safety information shall be made available on the DBG intranet for reference by all staff and appointed service providers.

2.5 Authorities

The following supervisory institutions are responsible for monitoring adherence to the provisions set out in the Act dated 17 June 1994 on occupational health and safety:

- Health directorate of the Ministry of Health
- ASTF
- ITM(Inspection de Travail et des Mines - Labor and Mine Inspectorate of Luxembourg)
- AAA(L'Association d'Assurance contre les Accidents) accident insurance
- The Comité de Coordination pour la sécurité et la santé des travailleurs au travail (health and safety coordination committee), which was formed from the above-mentioned institutions, coordinates the activities connected with the law.

2.5.1 Health directorate, department of occupational health

The main responsibility of the governmental department for occupational health (Division de la Santé au Travail) is coordinating and monitoring the activities and the organisation of all occupational health departments.

At the request of employees, trade union representatives, staff councils etc., this department can perform company inspections and work checks and report irregularities to ITM.

2.5.2 ASTF (Occupational Health Authority)

The Luxembourg Financial Sector's Health Association(ASTF) is an inter-company occupational health service. The ASTF team is made up of doctors, nurses, medical assistants, an ergonomist, an interior designer, nutritionists and psychologists.

The responsibilities of the ASTF include all areas related either directly or indirectly to occupational health and safety, such as:

- New employee physical exams.
- Medical examinations following absence due to illness.
- Medical examinations requested by employee or employer.
- Eye tests.
- Preventive occupational medicine.
- Flu vaccinations.
- Analysis of display screen equipment.
- Training health and safety officers.
- Workstation design and ergonomics.

The ASTF is not a governmental institution.

2.5.3 ITM (Business Inspectorate)

The Luxembourg business inspectorate reports to the Ministry of Labor. The ITM is responsible for monitoring compliance with and the application of the provisions relating to working conditions and the protection of employees at work. This includes:

- Labour law
- Wages and salaries
- Safety, hygiene and well-being
- Child labour

In addition, the ITM provides advice and information on the appropriate ways of adhering to these provisions. Inspectors are assigned to the ITM; they are nominated by the Ministry of Labour. These inspectors and other ITM employees are entitled to:

Enter any business subject to ITM inspection at any time (including during the night) without prior warning.

Conduct inspections, checks or investigations (e.g. examine documents, take samples from substances used) which they consider to be necessary to ensure compliance with the relevant provisions.

Require notices to be displayed (e.g. circulars, ITM notices, safety advice).

2.5.4 AAA

The occupational accident insurance association (Association d'Assurances contre les Accidents) is a public-sector institution and is subject to state supervision. The AAA's duties consist of:

- Preventing occupational accidents.
- Compensation for the consequences of occupational accidents, commuting accidents and work-related illnesses.

The Association d'Assurance contre les Accidents pays damages for:

- Occupational accidents.
- Commuting accidents.
- Work-related illness.

3.0 Duties of the Occupational Health and Safety Officers

3.1 Coordinators & Safety Representatives

A H&S Coordinator for Luxembourg is nominated (Refer to H&S Responsible Persons document).

The H&S Coordinator is the internally appointed H&S expert responsible for H&S.

Nominated individuals with delegated H&S responsibility at location may also be appointed as Safety Representatives' as per the 'DBG H&S Organisational Structure'

3.2 External Occupational Health and Safety Advisors

In accordance with the Act dated 17 June 1994, every company with less than 5000 employees must join an occupational medical service.

In line with these statutory provisions, DBG opted to enlist the services of the ASTF in order to comply with the regulations. The ASTF is also to be entrusted with all of the duties of the occupational health and safety specialist. You can contact the ASTF via the DBG health and safety officer.

3.3 Company Medical Officer

In line with the statutory regulations, DBG has commissioned the ASTF to provide the services of company medical officers.

The company medical officer's duties are:

- To assess the risk of damage to health in the workplace.
- To monitor the working environment with a view to health-risk factors.
- To provide advice on the design of workstations, with particular regard to work area fittings and the selection of working and production methods.
- To monitor employees' health in the context of their work.
- To advise the employer or employees on matters of hygiene at work, ergonomics, health training and occupational retraining.
- To work together with the Comité mixte or, if applicable, the staff representation committee.
- To organize first aid.

The company medical officer is also responsible for examining employees where necessary (e.g. new employee physical exam, shift-work suitability test, eye test), providing occupational medical assessments and advice, and compiling and evaluating the results of examinations. He/she provides advice on workplace design for employees with disabilities and on addiction prevention issues.

The company medical officer can be contacted via the Health and Safety Coordinator.

3.4 The Health and Safety Officer

Article 3 of the Act dated 17 June 1994 regarding occupational health and safety defines the health and safety officer as the employee designated by the employer to take charge of protection from occupational hazards and the prevention of such hazards in the company.

The health and safety officer can also take responsibility for the duties set out in Article 7 on behalf of his/her employer, i.e. take all necessary measures in first aid, fire-fighting and employee evacuation, by assisting with the selection of the external companies commissioned to implement the above measures.

In accordance with Article 6 of the Act, the employer can appoint one or more Travailleurs Désignés. There must be an adequate number of officers based on the size of the company and the hazards to which the employees are exposed.

3.5 The Safety Delegate

The Personnel Committee designates one of its own members or another company employee as a safety delegate. The safety delegate must be appointed in writing with the section head's signature.

Generally speaking, the safety delegate is permitted to inspect the company premises twice a year in the presence of the managing director or a representative.

The managing director of the company must seek advice from, or inform the safety delegate as regards hazard assessment for occupational health and safety, in particular for employees that are at a particular risk:

- Protective measures to be taken and personal protective equipment to be used, if applicable.
- Accident reports to ITM.
- All actions which may have a significant effect on health and safety.
- Appointing the Travailleur Désigné.
- Measures taken or to be taken depending on the type and size of the company in the areas of first aid, fire-fighting and employee evacuation.
- Organisational measures regarding the necessary links to external services, with particular regard of first-aid, emergency medicine, rescue and fire-fighting.
- Recourse to internal and external sections responsible for organizing occupational health and safety/ accident prevention.
- Appropriate training for all employees in the interests of their health and safety.

The safety delegate cannot be dismissed while holding this position.

3.6 First Responders

The AAA's accident prevention provisions state that the employer is responsible for training first aiders accounting for 5% of the staff of administrative and commercial businesses in first aid.

The first aid courses are led by trainers from the Red Cross or Protection Civile, and, unless the company medical officer provides ongoing training for first aiders, they must complete further training and repeat the first aider training after a maximum period of three years.

3.7 Security

Security supports occupational health and safety in the following areas:

- Storage of emergency equipment
- Regular checks and replenishment of first-aid boxes (Luxembourg only - Where security personnel are not situated at Regional Offices, these actions shall be completed by the designated local H&S representative).
- Maintaining accident log book (Luxembourg only - Where security personnel are not situated at Regional Offices, these actions shall be completed by the designated local H&S representative).

3.8 Human Resources

3.8.1 Medical examinations

Human Resources arrange medical examinations and receive information relating to staff accidents at work.

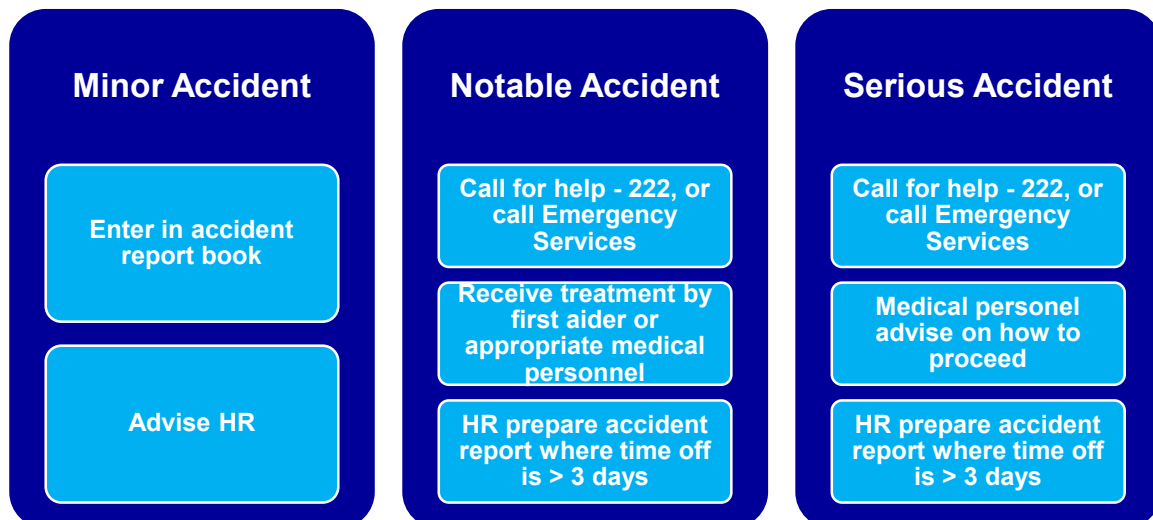
3.8.2 Reporting accidents

In the event of an accident, HR completes the accident report and, when it has been signed by the Staff Council and the health and safety coordinator, submits it to AAA.

4.0 Occupational Accidents

What constitutes an occupational accident? Occupational accidents are accidents suffered by an employee whilst working or during business travel. The activity in question must be serving the company and not private interests.

What to do in the event of an occupational accident:



The employer must ensure that a record of every first-aid application is made and retained for five years. This record must include information on the date/time, location (area of the company) and details of the accident or damage to health, the type and extent of the injury or illness, the time and method of first aid applied and the names of the insured person, witnesses and those applying first aid.

4.1 Accident reporting

Work Accident Insurance Association (L'Association d'Assurance contre les Accidents -AAA). Every policyholder who has become the victim of an occupational or commuting accident must inform his or her employer or a representative without delay. The employer or representative must then fill out an accident report form and send this form to AAA within one week at the very most. In order to take both follow-up measures and preventive action, the accident insurance companies also require that even those occupational accidents that do not result in the employee being temporarily unable to work be reported.

Accidents and serious incidents must also be reported to the Labour and Mine Inspectorate of Luxembourg (Inspection de Travail et des Mines - ITM) within one week.

Fatal accidents and accidents that result in the employee being unable to work for at least 13 weeks based on a medical certificate must be reported without delay to the AAA, the ITM and the local police office verbally, by phone, fax or e-mail).

4.2 Commuting accidents

Commuting accidents are accidents on the direct route to or from work; this usually begins when employees leave home and ends when they reach their place of work. Deviations from this route may also be insured if they are necessary, for example, to transport children to childcare facilities for the duration of the working day, for carpools, in the event of traffic diversions, or for deviations from the direct route if the workplace can be reached faster despite the longer route.

4.3 Accident statistics

Statistics are kept on the number of occupational accidents and the number of working days lost. A distinction is made between commuting and occupational accidents.

4.4 Analysis of occupational accidents

Occupational accidents which happen in the building or working area are analysed in order for measures to be taken to prevent further accidents.

5.0 Health and Safety Measures

5.1 Training

The employer must provide the employees with regular health and safety training. In DBG, this training/information is provided via management and or e-learning. All relevant internal information is available on the Intranet to all employees at any time.

Special training, for instance, regarding work in the vault, the data centers or the towers will be provided prior to the commencement of work in such location, by the FM section or the relevant superior.

5.2 Workplace inspections and instructions

Workplace inspection by the Luxembourg Finance Sector Occupational Health Association ASTF (Association pour la Santé au Travail du Secteur Financier).

In accordance with the EU Directive 90/270/EEC regarding work with display screen equipment, as well as the related decree of the Grand Duchy of Luxembourg dated 4 November 1994, employers are obliged to carry out a workplace inspection and take appropriate measures to prevent damage to employees' health.

The ASTF offers such inspections. During the inspections, all of the ergonomic parameters of a display screen workstation are analysed. Each employee is asked to complete a questionnaire in order to give his/her personal opinion of his or her workstation. A final report is prepared summarizing all of the results, making recommendations and suggested changes.

5.3 Further inspections

The levels of the following parameters can be calculated to assess thermal comfort:

- Room air temperature.
- Relative humidity of room air.
- Air velocity.

These values are checked on a regular basis in The Square. Levels of brightness and noise in the workplace are also assessed when necessary.

5.4 Room air measurement

Room air measurement is commissioned at irregular intervals on a spot-check basis, or in the event of a specific concern or potential risk.

6.0 Health and Safety Facilities

6.1 First-aid room

The first aid room is located on the ground floor of Building A. The room is easily to access with a stretcher and is fitted with the equipment necessary for administering first aid and first-level medical treatment.

The first aid material is easily accessible at all times and is protected against harmful influences, in particular contamination, moisture and high temperatures. Sufficient quantities of material are available, and can be promptly replenished or replaced when necessary.

6.2 Resting room

The first aid room is also used as a resting room.

6.3 First-aid boxes

All buildings are equipped with first-aid boxes that comply with the relevant regulations. The first-aid boxes are checked and replenished (if necessary) by corporate security on a regular basis.

6.4 First-aid personnel

First aiders will be trained in administering first aid. Minimum number of first aiders:

- 1 first aider for 2 to 20 insured persons present.
- 5% of the number of insured persons present in administrative and commercial businesses with over 20 insured persons.
- First aider training consists of 14 double teaching hours of first-aid training.
- Further first-aid training(4 double teaching hours) is required at least every 3 years in order to retain the position of first aider.

First responders are deployed in the KA & KB buildings. These first responders undergo more intensive training and learn how to use a defibrillator.

6.5 Fire safety equipment

In the event of fire, all staff must notify corporate security using the internal emergency number -222. Personal safety always takes priority over fire-fighting and employees are only expected to tackle a small fire when safe to do so. The priority is for evacuation of the building.

6.6 Fire hoses

In addition to the fire extinguishers, fire hoses are also available; however, these are only to be used by trained members of staff or the fire service.

6.7 Fire alarms

A fire alarm is a non-automatic alarm component of a fire detection system, which can be activated by hand in the event of fire. These alarms are normally located in the direction of escape in hallways and stairwells by fire escape doors. They are easily identified as a small red box with a break glass unit that activates the alarm. The fire alarm is inspected and tested on a regular basis to ensure its correct operation and to meet country specific laws and regulations.

6.8 Smoke alarms

The buildings are fitted with smoke alarms/sprinkler systems in line with the statutory requirements. As a result, open flames (e.g. candles) are prohibited in all parts of the buildings. Any exceptions must be cleared with FM in advance. Smoke detection systems are inspected and tested on a regular basis to ensure their correct operation and to meet country specific requirements.

7. 0 Workstations

7.1 Standard workstations

DBG provides ergonomic workstations and task chairs that comply with the relevant statutory requirements at all locations.

7.2 Special workstations

Workstations may deviate from the standard for particular tasks or for medical reasons. In the case of the latter, a medical certificate is required. In all cases, approval from one of DBG's occupational health practitioners is also required.

8.0 Fire Safety and Evacuation

8.1 Alarm and emergency plans

All of DBG's locations are equipped with alarm and emergency evacuation plans. It is the responsibility of employees and service providers to familiarize themselves with these plans on a regular basis and to follow the instructions there in an emergency situation.

8.2 Alarms

All locations are fitted with emergency alarms and sirens to signal the evacuation of the building. On hearing an alarm all personnel must comply with the evacuation procedure immediately. Alarms are tested on a regular basis to ensure their correct operation.

8.3 Assembly points

In the event of an alarm and evacuation, everyone must make their way to the assembly points immediately. The assembly points are marked on the evacuation plans and alarm plans. It is the responsibility of employees and service providers to familiarise themselves with the location of the assembly points on a regular basis.

8.4 Fire drills

DBG conducts evacuation drills at appropriate intervals to meet legal requirements. As a minimum this will be once per year. In buildings where DBG is not the sole tenant, drills are organised / coordinated and conducted by the landlord.

8.5 Evacuation plans

All buildings are equipped with evacuation plans in line with statutory provisions, which require the plans to be displayed in a prominent position. All escape routes and assembly points are clearly marked on the plans. It is the responsibility of employees and service providers to familiarise themselves with these plans on a regular basis and to follow the instructions there in an emergency situation.

8.6 General fire safety rules

Fire precautions prohibit the following in all locations:

- The use of employees' own kettles and coffee machines, toasters and other electrical equipment.
- Open flames (e.g. candles).

- Operation of fan heaters.
- Smoking outside of the designated external areas.
- Storage of flammable materials: outside of designated areas.

9.0 Internal Health and Safety Instructions

9.1 Floor wardens

The floor wardens are responsible for quick and complete evacuation of the building in the event of an alarm. Section heads generally assume the position of floor warden; they may appoint one or more deputies for the event of their absence. Local H&S representatives are responsible for ensuring sufficient trained floor wardens are in place and are fully briefed on the correct evacuation process. On larger site with security personnel they will also be trained floor wardens.

9.2 What to do in the event of an alarm

The guidelines on the evacuation plans and alarm plans must be observed. Instructions issued by the floor wardens and security staff must be followed.

9.3 Vaccinations

DBG offers a flu vaccination every year at many locations. The dates are announced in a timely manner on the Intranet. Other vaccinations may be required for foreign travel. Guidelines are available from the Foreign-Office. DBG will only bear the costs of the vaccination if the employee's health insurance company refuses to pay.

All vaccinations are taken voluntarily and at the employee's own risk.

9.4 Workstation equipment

Suitable workplace furniture and equipment that meets the appropriate ergonomic standards will be provided.

10.0 List of Abbreviations

AAA - Association d'Assurances contre les Accidents

ASTF - Association pour la santé au travail du secteur financier

ITM - Inspection du travail et des mines(Labor and Mine Inspectorate).