

- 50-204.212 Portable circular saws.
- 50-204.213 Band saws and band resaws.
- 50-204.214 Jointers.
- 50-204.215 Wood shapers, hand-feed panel raisers and similar machines.
- 50-204.216 Planing, molding, sticking and matching machines.
- 50-204.217 Sanding machines.

HOUSEKEEPING

- 50-204.229 General.
- 50-204.230 Floors.
- 50-204.231 Flammable materials.
- 50-204.232 Tools and other materials.
- 50-204.233 Receptacles for waste disposal.
- 50-204.234 Sweeping and refuse removal.

TOILET FACILITIES AND WASH ROOMS

- 50-204.239 Separate toilet for each sex.
- 50-204.240 Location.
- 50-204.241 Water closets.
- 50-204.242 Construction of toilet rooms.
- 50-204.243 Chemical closets and privies.
- 50-204.244 Washing facilities.
- 50-204.245 Change rooms.
- 50-204.246 Retiring rooms for women.

LUNCH ROOMS AND FOOD HANDLING

- 50-204.251 Location.
- 50-204.252 Waste food disposal.
- 50-204.253 Presence of toxic materials.

DRINKING WATER

- 50-204.258 Potable water.
- 50-204.259 Non-potable water.

MEDICAL SERVICES

- 50-204.264 Medical services.

EYE PROTECTION

- 50-204.269 General requirement.
- 50-204.270 First-aid for chemical burns.

ENVIRONMENTAL CONDITIONS

- 50-204.275 Toxic gases, vapors, fumes, dust and mists.
- 50-204.276 Threshold limit values.

VENTILATION

- 50-204.286 General ventilation and temperature requirement.
- 50-204.289 Local exhaust ventilation.

NOISE

- 50-204.293 Noise.

PERSONAL PROTECTIVE EQUIPMENT

- 50-204.298 Personal protective equipment.

MINING

- 50-204.300 Federal Mine Safety Code.

AUTHORITY: §§ 50-204.1 to 50-204.300 issued under sec. 4, 49 Stat. 2038, 41 U.S.C. 38. Interpret or apply sec. 1, 49 Stat. 2036, 41 U.S.C. 36.

§ 50-204.1 Scope and application.

(a) The Walsh-Healey Public Contracts Act (40 Stat. 2036, 41 U.S.C. 35 et seq.) requires that contracts entered into by any agency of the United States for the manufacture or furnishing of materials, supplies, articles, and equipment in any amount exceeding \$10,000 must contain, among other provisions, a stipulation that "No part of such contract will be performed nor will any of the materials, supplies, articles, or equipment to be manufactured or furnished under said contract be manufactured or fabricated in any plants, factories, buildings or surroundings or under working conditions which are unsanitary or hazardous or dangerous to the health and safety of employees engaged in the performance of the contract." This Part 50-204 of this chapter expresses certain

minimum safety and health standards which will be applied in the administration and enforcement of the Act, including proceedings under its section 5 and 41 CFR Part 50-203, Subpart A, to determine whether particular contracts subject to the Act are being, or have been, performed in compliance with its safety and health requirements.

(b) In all administrative, enforcement, and investigative proceedings conducted by the United States Department of Labor under the Act, official notice will be taken of the fact that failure to comply with the requirements expressed in this Part 50-204 of this chapter results in working conditions which are "unsanitary or hazardous to employees" within the meaning of section 1(e) of the Act, and contracts incorporating the stipulation it requires.

(c) In formal enforcement proceedings under section 5 of the Act, respondents will be permitted to demonstrate, by reliable, substantial, and probative evidence, that their failure to comply with the requirements expressed in Part 50-204 of this chapter did not result in working conditions which were "unsanitary or hazardous or dangerous to employees," but only if the answer to the complaint, filed under 41 CFR 50-203.3, makes express allegation to that effect, identifying the particular code unit challenged and setting out the factual basis for the challenge. In the event such issue is drawn, and reliable, substantial, and probative evidence is introduced in support of the challenge, the pertinent portions of the publications of the American Standards Association, Inc., American Society of Mechanical Engineers, National Fire Protection Association, National Board of Fire Underwriters, the Public Health Service of the United States Department of Health, Education, and Welfare, the Bureau of Mines of the United States Department of the Interior, and the Atomic Energy Commission will be considered, together with any other evidence that may be adduced in support of the regulation, on the issue whether the preponderance of the reliable, substantial, and probative evidence supports a finding that the working conditions prohibited in the regulation are unsanitary or hazardous or dangerous to the health and safety of employees.

(d) The standards expressed in Part 50-204 of this chapter are for application to ordinary employment situations, and do not preclude proof or recognition of the necessity of higher standards for employment situations of extraordinary hazard. Neither do the standards expressed in this Part 50-204 of this chapter purport to describe all of the working conditions which are unsanitary or hazardous or dangerous to the health and safety of employees. Other working conditions may be found to be unsanitary or hazardous or dangerous to the health and safety of employees on evidence to that effect, or without such evidence, where such unsanitary or hazardous or dangerous characteristic should be apparent to a rational and prudent person of common experience.

(e) Compliance with the standards expressed in Part 50-204 of this chapter will not relieve anyone from any obligation to comply with any more strict standard stemming from any other source whatsoever.

BUILDINGS AND APPURTENANCES**§ 50-204.2 Buildings.**

Buildings and all appurtenances thereto, including bridges, towers, balconies, runways, and platforms, shall be structurally safe to prevent collapse.

§ 50-204.3 Floors.

(a) No floor or platform shall be so loaded as to have a factor of safety of less than four. That is, the weight placed upon a floor or platform shall not exceed one-fourth of the breaking strength of the platform or floor.

(b) Floors, other than those resting directly on solid ground, when used for heavy storage shall be clearly posted to show maximum safe floor loads.

(c) All floor surfaces shall be kept clean and dry and maintained in a smooth (free from holes or projections that might cause tripping and reasonably nonslippery) condition.

(d) Where the type of operation necessitates working on floor areas which would be otherwise wet or slippery, such areas shall be covered with mats, grates, cleats, or other high friction floor coverings.

(e) Safe means of access, suited to conditions, shall be provided to every overhead point to which employees are called upon to go in connection with their employment.

§ 50-204.4 Building egress.

(a) **Exits.** Not less than two means of egress (other than ladders or elevators) as remote from each other as possible, shall be provided on every floor, including basements and cellars of every building or section where persons are employed. On the street floor at least one of these shall be a door leading directly outside the building, and the other may be a door leading outside the building, or a standard horizontal exit. On upper floors and basements, one exit shall be an enclosed stairway or smoke-proof tower and the other or others may be inside stairways or horizontal exits or fire escape stairs.

(b) **Exit doors.** Doors shall swing in the direction of exit and open in such a manner as not to obstruct passageways or corridors used as ways of egress. No chairs or seats, fixtures, chutes, materials, or equipment shall block or in any way jeopardize the use of ways and means provided for egress. All exit doors and windows used as means of egress in case of fire or panic shall be so arranged as always to be opened readily from the inside. Locks on doors and windows, if provided, shall not require the use of a key to open.

(c) **Exit signs.** All exits or means of egress shall be provided with a sign having on it the word "EXIT" which shall be in letters at least five inches in height and plainly indicate to persons within the building the location of such egress.