

# **Working conditions on the ITER Organization site**

**Document to be provided to all undertaking work at the ITER Site**

## **1. General**

These conditions (hereinafter « Conditions »), and those specified by the ITER Organization Internal Regulations (hereinafter « Internal Regulations »), apply to all contracts or other arrangements for works on the ITER Organization site (hereinafter « Contracts »). In the case of a conflict between these Conditions and the Internal Regulations with a Contract or with the General Conditions Governing Calls for Tenders, or with the General Conditions of ITER Organization Contracts, these Conditions and the provisions of the Internal Regulations, shall prevail.

## **2. Competence, professional qualifications and confidentiality**

The entity (hereinafter: "Contractor") that is responsible for undertaking work on the ITER site shall ensure that the personnel used for the execution of the work shall be competent and have the necessary professional qualifications. He shall provide evidence thereof at the ITER Organization's request. The Contractor shall ensure that the personnel used for the execution of the work shows discretion with respect to any information obtained in connection with the execution of the work and shall treat as confidential any information marked as such or which they may reasonably be expected to treat as such.

The contractor shall provide all documents requested by ITER Organization, in particular the documents necessary for the monitoring of the contractors, pursuant to French nuclear regulations.

## **3. Registration**

The Contractor shall ensure that the personnel is registered with Safety and Security Department of the ITER Organization and that all other administrative procedures and formalities to allow them to enter and move across the ITER Organization site have been complied with before they start work at the ITER Organization site. The Contractor shall ensure that access cards and any other items provided by the ITER Organization in connection with the registration shall be returned to the ITER Organization Safety and Security Department of the ITER Organization on the last day of the holder's working at the ITER Organization's site.

## **4. Provision and use of ITER Organization tools, vehicles and other equipment of the ITER Organization**

The Contractor shall use his own tools, vehicles and other equipment required for the execution of the Work. If the nature of the work so requires, the Contractor shall provide his personnel with working clothes, clearly bearing the Contractor's name.

Any use of tools, vehicles and other equipment belonging to the ITER Organization shall be subject to prior written authorization by the person designated in the contract or arrangement as being in charge for technical matters (hereinafter : Technical Officer) and may be subject to payment.

In the latter event, the authorization is subject to countersigning by the Procurement and Contract Division of the ITER Organization.

Items supplied by the ITER Organization shall be returned in good condition, normal wear and tear excepted.

## **5. Work orders and inspections**

If so provided for in the Contract, the instructions issued by the ITER Organization in respect of the work to be performed under the Contract shall be laid down and specified in written work orders.

Inspections performed by the ITER Organization do not release the Contractor from his responsibility for the proper execution of the work.

## **6. Time recording and coordination of leave days**

If invoicing takes place on the basis of time worked, the hours worked by the Contractor's personnel in the execution of the Work shall be recorded and signed off jointly by the Technical Officer and the Contractor, using weekly report forms made available by the ITER Organization.

The Contractor shall consult the Technical Officer to ensure that leave and other absence days of his personnel do not adversely affect the execution of the Work.

## **7. ITER Organization working hours and overtime**

As provided for in the ITER Organization Internal Regulations, access to the ITER Organization's site shall be open from 7.30 am to 7.30 pm.

The working hours of reference are 40 hours per week. Except in serious and exceptional circumstances, the maximum time worked shall not exceed 12 hours in any period of 24 hours, nor 48 hours per week.

The Contractor's personnel shall have the same working hours, except as otherwise provided in the Contract (night-work).

## **8. Holidays of the ITER Organization**

The ITER Organization site shall be closed during the ITER Organization public holidays as decided each year by the Director-General.

The Contractor shall not perform work under the Contract during the above-mentioned ITER Organization holidays, unless provided for in the Contract, to the extent that its provisions are compatible with these Conditions and the ITER Organization Internal Regulations.

## **9. Notice of work outside regular ITER Organization working days/ hours**

For reasons of safety, the Contractor shall ensure that whenever work is to be performed between 7:30 pm and 7:30 am and/or on a weekend and/or during any of the ITER Organization holidays referred to in Article 8 above, the ITER Organization form "Notice of work outside regular ITER Organization working days/hours" shall be filled out and countersigned by the Technical Officer.

## **10. Activities on the ITER Organization site**

The Contractor shall not establish offices or other premises on the ITER Organization's site save as otherwise agreed with the ITER Organization, to the extent that its provisions are compatible with these Conditions and the ITER Organization Internal Regulations.

## 11. Use of the ITER Organization's name and logo

Any reference to or use of the ITER Organization's name or logo shall be subject to prior written authorization by the Director-General or his representative.

## 12. Laws and regulations



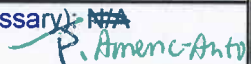
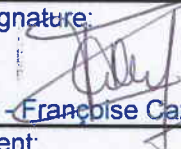
The Contractor cannot avail himself of the privileges and immunities which have been accorded to the ITER Organization, by virtue of its status as an International Organization, as laid by the Agreement on Privileges and Immunities of the ITER Organization and the Host State France.

The Contractor shall ensure that general principles of international labour law transposed in the European Community laws and their implementation concerning transnational workers are respected such as in particular:

- maximum work periods and minimum rest periods;
- minimum paid annual holidays;
- minimum rates of pay, including overtimes rates;
- The conditions of hiring-out of workers, in particular the supply of workers by temporary employment undertakings;
- health, safety and hygiene at work;
- protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people;
- equality of treatment between men and women and other provisions on non-discrimination

The Contractor shall ensure that for the execution of the work, the necessary administrative requirements resulting from the Host State regulations such as visa and working permit procedures shall be respected.

# COVER FOR THE DIRECTOR-GENERAL APPROVAL ITER ORGANIZATION

<b>IDM REFERENCE NUMBER</b>	2EQ9JM v. 1.1	<b>CLASSIFICATION</b>	
<b>PRIORITY</b>		CONFIDENTIAL	
<b>SUBJECT</b>	<b>WORKING CONDITIONS ON THE ITER ORGANIZATION SITE</b>		
<b>REASONS FOR ASKING APPROVAL</b>	<p>This document defines the working conditions on the ITER Organization site. These conditions apply to all contracts or other arrangements for works on the ITER Organization site.</p> <p>This document shall be provided to all undertaking work at the IO site.</p>		
<b>DG Signature/Remarks:</b>		<b>PDDG Signature/Remarks:</b> N/A	
 Date: 4/3/09 - Kaname IKEDA		Date: -	
<b>Office Head/ADDG/DBG Signature:</b>		<b>Other <del>DBG</del> Signature ( If necessary):</b> N/A	
 Date: 02 MARS 2009 - Shaoqi WANG		 Date: -	
<b>Section Head Signature:</b> N/A		<b>Division Head Signature:</b>	
Date: -		 Date: 20/02/2009 - Françoise Cazenave-Pendaries	
<b>Prepared by:</b>	<b>Name of Section/Division/Department:</b> Human Resources Division		
Date: 20/02/2009	<b>Phone:</b>		
<b>List of Attached Documents (4 pages):</b> Working conditions on the ITER Organization site			