

# External company management

Safety policy on the use of external companies at Heckler & Koch GmbH

## Table of contents

1. Introduction .....	3
2. Scope of application .....	3
3. House rules/work safety regulations for external companies .....	4
4. Order placement .....	5
5. Laws, ordinances and regulations .....	6
6. Internal safety policies and operating instructions .....	6
7. Subcontractors .....	7
8. Risk assessment / work safety requirements .....	7
9. Work with special hazards .....	7
10. Information security .....	8
11. Coordinator for safety and health protection .....	9
12. Employees of external companies .....	9
13. Instruction/briefing .....	10
14. Reporting of accidents and damage .....	10
15. Work on systems and use of facilities .....	10
16. Work hours .....	11
17. Work equipment .....	11
18. Work clothing and personal protective equipment .....	11
19. Waste and recyclable materials .....	12
20. Hazardous substances .....	12

21. Confidentiality obligation.....	12
22. Rent and ancillary costs .....	12
23. Insurance coverage .....	12
24. External company assessment .....	12
External company's declaration (Annex 1) .....	14
Briefing / instruction protocol (Annex 2).....	16

## 1. Introduction

With its **external company management** system, Heckler & Koch GmbH commits to uphold the relevant laws and regulations governing the fields of safety, energy and the environment. Our open information policy towards employees and the public improves understanding of the safety, environmental protection and energy efficiency of all the company's activities.

When performing work for or on the premises of Heckler & Koch GmbH, external entities ("third parties") may be exposed to hazards or may endanger other persons when performing their work.

These hazard factors and risks emanate from both the immediate work at hand and the unknown work environment. The **external company management** policy is intended to aid the persons in charge in defining the measures for the work of external companies and to ensure a uniform level of protection.

This **safety policy on the use of external companies** (hereinafter referred to as the "policy") **at the headquarters of Heckler & Koch GmbH (including the Aixheim branch), Heckler & Koch Straße 1, 78727 Oberndorf a.N.** defines the essential safety-related information and requirements that are relevant to the safe use of external companies on the premises of Heckler & Koch GmbH. This policy is intended to create uniform parameters governing requirements for the protection of persons, property and the environment and thus prevent accidents of any kind.

## 2. Scope of application

**This policy applies to all external companies that enter the factory premises and/or carry out work of any kind there.**

External companies are companies that are not organisationally subordinate to the domain of Heckler & Koch GmbH. In particular, this includes all contractors of Heckler & Koch GmbH, their subcontractors and/or companies commissioned by them. Individual companies of Heckler & Koch GmbH that perform work in another division of the company are also considered to be external companies. This policy also applies to Heckler & Koch GmbH employees who supervise external companies, their subcontractors and companies commissioned by them.

The contents of this policy are included in all works and service contracts concluded between Heckler & Koch GmbH and any contractor (hereinafter also referred to as an "external company"). The contractor and its employees, as well as all subcontractors and their employees, must follow the provisions of this policy without exception. **Violations** of any arrangements under this policy may constitute good cause for the **termination of contractual relationships** with the contractor as well as to **reductions** of agreed **remunerations** by Heckler & Koch GmbH.

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External companies commissioned to perform specific tasks are independent and autonomous enterprises that work on the client's premises under their own responsibility. This also includes the independent implementation, compliance with and monitoring of the work safety measures to be taken. The contractor (external company) and the client (Heckler & Koch GmbH) are in a contractual relationship in the form of an agreement on work or services. The external company's personnel are not integrated into the client's work process and have no right to give orders to the client. In addition, the contractor must always provide materials, tools and personnel on its own.

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### 3. House rules/work safety regulations for external companies

The house rules and work safety regulations for external companies describing the company's basic rules for safe and smooth operation apply on the premises of Heckler & Koch GmbH. Contents and provisions of the house rules include:

#### Entering and leaving the site

- Authorities of the external security service
- Incoming and outgoing inspections
- Reporting and information duties

#### Conduct at the site

- Prohibition of smoking, alcohol and drugs
- Conduct in the event of accidents and damage
- Road traffic regulations at the site
- Prohibition of photography and filming
- Conduct in explosion hazard areas
- Prohibitions on access
- Conduct in the event of accidents

#### Transfer of goods and materials

- The contractor shall ensure that its employees as well as any subcontractors it uses, including employees thereof, know and follow the house rules. Copies of the house rules/work safety regulations for external companies are available from the plant security.
- The relevant house rules become a binding part of the contract upon order acceptance.

#### Health management/health regulations

- The regulations are always based on the state COVID ordinance, which is updated on a daily basis.
- Please also observe the company's internal regulations and current bulletins. The client's person responsible for the order will inform you.

## 4. Order placement

Supplies and services are awarded by Purchasing, Facility Management or directly from the departments of Heckler & Koch GmbH. Unless otherwise expressly agreed upon in writing, this policy, the relevant house rules and the General Terms and Conditions of Purchase in their respective current version shall become an integral part of the contract upon acceptance of the order.

Heckler & Koch GmbH shall appoint a person responsible for each order. This person is the main contact person for the external company doing the work. This person must be notified of any deviations in the scope of service, such as accidents, health and safety deficiencies, defects, etc. without delay. If multiple companies or work groups in different trades (including Heckler & Koch GmbH) are to work at the same place and/or at the same time or if a “mutual endangerment” can be expected beyond that, the activities of all companies involved will have to be coordinated. In this case, Heckler & Koch GmbH may (depending on the location and type of work) appoint an external company coordinator (hereinafter referred to as the “coordinator”). In exceptional cases, the coordinator can be provided by the external company with the client’s consent.

At the same time, the coordinator can also be the person responsible for the order at Heckler & Koch GmbH. The coordinator should coordinate the activities so as to rule out mutual endangerment. The health and safety of all persons involved may not be put in jeopardy at any time. The companies shall inform each other of the dangers associated with the work and coordinate with one another by way of the respective coordinator. For that reason, the coordinator’s instructions must be followed. For this purpose, the coordinator is authorised to give instructions to the responsible person of the contractor and the employees of the external companies in matters of safety and health protection. However, this authority to give instructions does not release the external company from its responsibility for its employees. The contractor shall receive a document for the external company’s declaration (**Annex 1**) together with the initial order. It describes the person responsible for the order at Heckler & Koch GmbH, any coordinator appointed and the available details of the order (e.g. location, brief description). Furthermore, the contractor’s responsible contact persons is to be named in this document. Receipt of this policy and the respective operating regulations must be confirmed in written form.

The external company’s declaration (Annex 1) must be signed and returned to the relevant person responsible for the order/project at Heckler & Koch GmbH upon acceptance of the order – albeit no later than commencement of the work – or handed over to the person responsible for the order/project unprompted upon arrival at the premises of Heckler & Koch GmbH before the work begins. No work of any kind may be carried out without this registration of the external companies!

## 5. Laws, ordinances and regulations

The following laws, ordinances and regulations must be observed and complied with for all orders without exception. They constitute the unrestricted basis for all orders of Heckler & Koch GmbH. All laws, ordinances and regulations must be complied with the protection of oneself and others. The following laws must explicitly be observed:

### **Occupational Safety and Health Act (ArbSchG)**

Section 8 Cooperation between multiple employers

### **DGUV [German Social Accident Insurance] Regulation 1 – Scope of application of accident prevention regulations**

Section 2 Employer's basic duties

Section 5 Awarding of contracts

Section 6 Cooperation between several employers

### **Ordinance on Hazardous Substances (GefStoffV)**

Section 15 Cooperation between different companies

### **Ordinance on Industrial Safety and Health (BetrSichV)**

Section 13 Cooperation between different employers

Furthermore, the relevant **statutory** and **trade union regulations** on safety and health protection must be observed when performing the work and providing and **using work tools**, equipment and materials. Manufactured products or works must also comply with the work safety regulations required. In addition, all statutory regulations, ordinances and provisions that must be observed for the safe performance of the order shall apply (each in their most recent version). The contractor is obliged to determine and evaluate these independently and at its own responsibility in advance through a suitable analysis.

## 6. Internal safety policies and operating instructions

In addition to the aforementioned regulations, further regulations such as company-specific safety policies and operating instructions can be applied if necessary after information by the client.

## 7. Subcontractors

**Subcontractors do not constitute contractual partners of Heckler & Koch GmbH!**

If the contractor uses subcontractors, it must obtain authorisation to do so from Heckler & Koch GmbH and must be coordinated by the relevant coordinator or person responsible for the order. If subcontractors are used to carry out the work, this must be announced in written form upon conclusion of the contract – albeit before commencement of work at the latest. Heckler & Koch GmbH reserves the right to object to the use of subcontractors if there are objective reasons for doing so and in order to secure its own legitimate interests.

**Subcontractors must be indicated according to the external company's declaration document (Annex 1). The contractor is responsible for providing information (including for providing this policy and ensuring compliance with the rules on the part of the subcontractors). Companies that have not registered are not allowed to perform any work at Heckler & Koch GmbH!**

## 8. Risk assessment / work safety requirements

We assume that each external company meets the statutory requirements for work safety. In particular, these include risk assessments for the applicable activities for Heckler & Koch GmbH.

If a potential “mutual hazard” is to be expected, the mutual hazards must be assessed. This assessment of hazards is to be conducted together by the contractor and the coordinator or the person responsible for the order at Heckler & Koch GmbH. The responsible persons at the companies and the relevant internal specialist departments of Heckler & Koch GmbH support the contractor in the risk assessment on company-specific hazards.

## 9. Work with special hazards

Additional written permission from Heckler & Koch GmbH is required for work involving special hazards. The responsible person of the external company has to assess whether activities with special hazards are at hand together with the coordinator. As a general rule, written permission is required for the following work:

- work involving fire hazards (soldering, welding, cutting, etc.),
- work with flammable fluids,
- handling of hazardous substances (Ordinance on Hazardous Substances),
- work on or near electrical installations and equipment,
- work with industrial trucks, lifting platforms and scaffolding,
- work in which the Radiation Protection Ordinance must be observed,
- work in containers, silos and/or confined spaces and/or
- other special hazards according to Section 8 DGUV Regulation 1 upon coordination.

When work involving special hazards is being performed, protective measures must be implemented in accordance with the relevant permission procedure. Permission shall be granted for each individual activity, stating the place and period of work. A copy shall be kept available at the place of order fulfilment.

## 10. Information security

If the external company has been granted access to IT facilities of Heckler & Koch GmbH, the external company may only use the IT facilities and the access granted for the purpose of fulfilling its contractual obligations and must treat all facilities with due diligence. The access is exclusively restricted to the information sources and IT facilities required to fulfil the obligations agreed upon in the contract.

The external company is not permitted to grant other companies (subcontractors or partners) access to information of Heckler & Koch GmbH without prior written authorisation.

When using IT facilities, external employees must comply with Heckler & Koch GmbH policies on information security, in particular:

- passwords must comply with the principles of Heckler & Koch GmbH (Password policy RL-IM-2020-001);
- as a general rule, NO IT end devices from external companies may access the site network directly;
- should an exception be necessary for special hardware or software installations, the external company must discuss this in advance with the IT security in charge by way of the responsible coordinator at Heckler & Koch GmbH;
- printed information that is no longer needed must be disposed of or destroyed using the data destruction containers and/or document shredders provided for this purpose (Data deletion and data media disposal policy RL-11- 10-v2.0 05/10/2021).
- Employees of external companies must store and record information, data or documents in accordance with the instructions given to them by the employees of Heckler & Koch GmbH.

Should the external company be granted access to the internet and E-mail within the scope of its activities, the provisions of the “Company agreement on the use of IT systems and communication media DOK11/0084” shall apply to this use, in particular:

- it is not permitted to present, access, store, distribute or display offensive content (discriminatory, racist, extremist and/or sexist content) or access offensive websites or pages with offensive content; it is required to respect the rights and property of other users and third parties and to comply with the relevant legal provisions (protection of intellectual property, copyrights, software licences, etc.),
- suspicious E-mails may only be opened and software or documents may only be downloaded from the internet if coordinator at Heckler & Koch GmbH has expressly requested external company to do so and
- the private use of the internet and E-mail by employees of external companies is prohibited.

Employees of external companies are required to immediately report incidents concerning the use of IT facilities to the responsible coordinator at Heckler & Koch GmbH as well as the information security officer (+49 (0) 7423/79-2633). Such incidents may not be covered up or rectified independently.

## 11. Coordinator for safety and health protection

For large-scale construction projects, Heckler & Koch GmbH makes use of a suitable safety and health protection coordinator (SiGeKo) in accordance with the Construction Site Ordinance (BauStellV), if necessary.

In his function, the SiGeKo is authorised to give instructions to the companies involved in the construction project concerning matters of safety and health protection.

## 12. Employees of external companies

External companies may only use personnel with sufficient qualifications in compliance with relevant provisions of laws, collective agreements and other regulations. In particular, external companies must observe the statutory provisions on combating illegal employment in the fulfilment of their contractual obligations. The provisions of the General Equal Treatment Act must be complied with. In particular, the external companies shall inform their employees that it is prohibited to discriminate based on race, ethnic origin, gender, religion, ideology, disability, age or sexual identity and that harassment or sexual harassment as defined by the General Equal Treatment Act is prohibited and shall take measures to prevent this from occurring.

Suitable certificates of qualification for the personnel employed (e.g. training certificates, etc.) must be submitted at the client's request. The external company shall ensure that the employees it employs are mentally and physically capable of performing the work and that they have received theoretical and practical training. In addition, they must have been assigned to the tasks to be carried out. Employees must have a sufficient command of the German language to understand and follow all safety instructions.

Young persons who have not yet reached the age of 18 may only enter the plant for the purpose of training. Prior approval from the plant management is required for all other cases. The contractor must ensure the necessary first aid measures for its order.

**As a general rule, contractor is responsible for supervising the employees of external companies used.**

### 13. Instruction/briefing

The person responsible for the order at Heckler & Koch GmbH shall instruct the responsible person of the external company. The instruction must convey the company-specific regulations and main content of this policy. The instruction must be documented accordingly and repeated if any significant changes are made, albeit at least once a year.

The responsible person of the external company must pass on the contents of the instruction to the employees to be used in an internal instruction. In addition, the contractor must inform any subcontractors commissioned of the contents of the instruction. The briefing must be **documented**; the Proof of briefing – external company form (**Annex 2**) can be used for this purpose.

The documentation is to be presented to the coordinator or the person responsible for the order upon request. No work of any kind may be performed at Heckler & Koch GmbH without the employees used being instructed and briefed.

If additional or different employees are to be used, a subsequent briefing (at the latest before work starts) must be given and documented.

In addition, each external company must brief all of its employees involved in fulfilling the contract before they start work and at annual intervals. The instructions must be documented and presented upon request.

### 14. Reporting of accidents and damage

The immediate measures described in the respective operating regulations must be taken in accident and damage reports. Any events (accidents, environmental incidents, property damage, etc.) must immediately be reported to the person responsible for the order or to the coordinator for internal documentation. The responsible persons at the external company must participate in the accident investigations to improve safety and health protection at Heckler & Koch GmbH on the long term. A description of how the accident occurred and the number of days of downtime must be sent to the Work Safety Department of Heckler & Koch GmbH.

### 15. Work on systems and use of facilities

As a general rule, work on operating equipment (e.g. buildings, systems, machines, etc.) requires authorisation from the client. This must be obtained through the coordinator or the person responsible for the order. The same applies to the use and operation of equipment, facilities and system.

## 16. Work hours

All work hours must always be coordinated with and approved by the coordinator or the person responsible for the order. The coordinator or the person responsible for the order must inform the plant security/gatekeeper. Further regulations are specified in the respective house rules. The contractor undertakes to comply with the statutory provisions of the Work Hours Act (ArbZG).

## 17. Work equipment

Work equipment contributed (e.g. machines, tools, ladders, etc.) must be in safe technical condition, suitable for use and must have undergone the **prescribed tests** (e.g. portable electrical equipment [e.g. drills, cable drums] must be tested regularly in accordance with **DGUV Regulation 3** ). The relevant test reports shall be presented upon request. The work equipment used should be given **company-specific** labels. Scaffolding must be clearly marked with a “blocked” notice or a certificate of approval. Heckler & Koch GmbH does not lend out work equipment (including industrial trucks, forklifts, lifting platforms, etc.). The customer must bring it on its own and register it with the coordinator or the person responsible for the order. The coordinator or the person responsible for the order may deviate from this rule in individual cases. If work equipment requiring special training is used (e.g. forklift trucks, lifting platforms, cranes), the necessary operator credentials (driving licences) must be presented to the coordinator or the person responsible for the order. These may only be used with the necessary written authorisation. If required, the relevant responsible persons at Heckler & Koch GmbH will prepare a written order to that effect.

**Simply put: The Ordinance on Industrial Safety and Health stipulates that only tested equipment (machines, ladders, etc.) may be used.**

## 18. Work clothing and personal protective equipment

The external company must provide the necessary and suitable personal protective equipment. Work clothing must also meet the requirements of the activities and the workplace. The applicable statutory provisions, standards and trade association rules and accident prevention regulations must be observed. For example, safety boots must be worn in production, workshop and storage areas. Hearing protection must be worn in designated noisy areas. Additional protective clothing (e.g. helmet, safety goggles or protective gloves) must be worn depending on the work to be done.

If any personal protective equipment is missing, the coordinator at Heckler & Koch GmbH must be informed. He will then check whether Heckler & Koch GmbH can provide personal protective equipment for the employee of the external company (for a fee).

## 19. Waste and recyclable materials

The disposal of waste and recyclable materials in the ownership of Heckler & Koch GmbH is organised by the relevant specialist department of the client. Exceptions must be approved by the client in written form. The contractor shall also bear the costs and responsibility for disposing of the above-mentioned materials in the ownership of the Contractor. The contractor shall provide the relevant records of proper disposal at the request of Heckler & Koch GmbH.

## 20. Hazardous substances

External companies are only permitted to store, transfill or use hazardous substances with the express prior consent of Heckler & Koch GmbH. The contact person for this is the coordinator or the person responsible for the order. It must be ensured that substances hazardous to water cannot enter the sewage system or soil during handling and storage. They may only be stored in appropriate systems or in suitable and sufficiently dimensioned catch trays. Suitable absorbent and containment materials must be kept on hand to handle leaks. However, if a water pollutant substance ever does enter the sewage system or soil, the coordinator at Heckler & Koch GmbH must be informed immediately so that operational emergency measures can be initiated. **The use of hazardous substances without approval is prohibited!**

## 21. Confidentiality obligation

The external company must maintain the confidentiality of all industrial and trade secrets which it gains knowledge of both before, during and after the end of its activity at Heckler & Koch GmbH. The external company must inform its employees of the confidentiality obligation and obligate them to uphold it. If a non-disclosure agreement is concluded between the external company and Heckler & Koch GmbH, it shall apply accordingly.

## 22. Rent and ancillary costs

If any equipment, energy (electricity, compressed air, etc.) and water/waste water (with the approval of Heckler & Koch GmbH), Heckler & Koch GmbH reserves the right to charge the external company a usage-based fee upon consultation or announcement. As a general rule, energy must be used sparingly.

## 23. Insurance coverage

See General Terms and Conditions of Purchase

## 24. External company assessment

The entire order fulfilment process as well as the performance of external companies are regularly evaluated using an assessment system. The performance criteria are divided as follows:

- quality,
- performance and adherence to deadlines,
- safety, environmental protection and health protection; and
- economic efficiency.

The assessment system ensures that only safe suppliers will be commissioned in the future.

## External company's declaration (Annex 1)

Client:	Department:
Heckler & Koch GmbH, Heckler & Koch Straße 1, 78727 Oberndorf a.N.	
Name of contact person (H&K):	
Telephone number of contact person (H&K):	
E-mail of contact person (H&K):	
Name of external company coordinator (H&K) (if applicable):	
Name of supervisor (H&K) (if applicable):	

Name of external company / contractor:	
Street of external company:	
Postal code, city of external company:	
Contact person of external company:	
Position of contact person:	
Telephone number of contact person:	
E-mail of contact person:	

Brief description of the work to be done:	
Estimated duration:	
How many people will be deployed?	
Do you bring work equipment/supplies to perform the task along with you?	
Start of work (date, time):	
Where will the work be performed? (department, building, site) or will work be performed at different sites over a prolonged period of time (maintenance/faults)?	

Copy/message to the work safety department

The undersigned have taken the following points into account and confirm compliance therewith with their signature.

1. I have taken the information on work, environmental and plant safety (External company management, Safety policy on the use of external companies at Heckler & Koch GmbH) into account and will monitor and ensure compliance by us/my/our employees, vicarious agents and/or subcontractors.

2. I confirm with my signature that only persons who are familiar with the information on work, environmental and plant safety (External company management, Safety policy on the use of external companies at Heckler & Koch GmbH) and who have been instructed on the content of the conditions for external companies and of the dangers which the work presents as well as of the measures to avert them will be used to perform the work for the client.

3. In order to coordinate the work between me/us or to coordinate the work with third parties, the above-mentioned person(s) is/are appointed as coordinator at Heckler & Koch GmbH. He/she will coordinate the planned work to avoid potential mutual hazards. The coordinator has the authority to give instructions to employees of external companies if doing so is necessary to ensure a safe workflow. The external company remains responsible for the safety of its employees and subcontractors and must instruct them in accordance with the order. If the external company meets other companies, an arrangement to avoid mutual hazards must be made and coordinated upon with the coordinator. If activities with special hazards are to be expected, the above-mentioned supervisor will be appointed.

4. Subcontractors (if used)

Name of subcontractor:	
Address of subcontractor:	
Telephone of subcontractor:	
Person responsible:	

Name of subcontractor:	
Address of subcontractor:	
Telephone of subcontractor:	
Person responsible:	

I undertake to convey the information received to my own employees assigned to me and to the subcontractors in a briefing.

Date/signature:

Date/signature:

\_\_\_\_\_   
 External company/contractor

\_\_\_\_\_   
 Responsible person of the external company

