

H&S Requirements in relation to the Contractors of CEMEX Polska

Edition 8

in effect from
13 April 2015

Annex to the Ruling no. 2/2014 of the Board of CEMEX Polska Sp. z o.o. of 2/5/2014

Annex no. to the Contract no. of

forming an integral part of the Contract

1. The contractors performing work or services for CEMEX Polska (hereafter referred to as the "Contractors") are obliged to observe strictly the H&S and fire protection rules and regulations arising from the Polish legislation, the CEMEX H&S Policy and this Annex. The same obligations are also held by all the sub-contractors of the Contractor, with the Contractor having the full responsibility for its sub-contractors in this respect. This amounts to a condition of concluding a contract.
2. All the contracts with Contractors state that the requirement of working in a safe manner and in line with the H&S and fire protection regulations and rules effective on the premises of the CEMEX Polska plants is a condition of concluding a contract.
3. Prior to undertaking the work, the Contractor is obliged to designate a supervisor to supervise the health and safety of all the employees and sub-contractors of the Contractor performing work for CEMEX Polska.
4. The supervisor, together with a responsible manager/specialist or H&S coordinator (if designated) of CEMEX Polska supervising a given job and, if needed, a CEMEX Polska H&S specialist, shall analyze the safety of the work being performed on the premises of a CEMEX Polska plant, listing the necessary information regarding the hazards and the use of proper protection equipment.
5. Handing over a project for execution or equipment for repair and acceptance after completing the project or making the repair is done on the basis of a REPORT OF EQUIPMENT/FACILITY HAND-OVER/ACCEPTANCE FOR REPAIR/PROJECT as produced, which includes annotations on electrical isolation and H&S measures for the equipment. The hand-over process is participated in by representatives of the Contractor and representatives of CEMEX Polska. Before undertaking any job to be performed for and on the premises of a CEMEX Polska plant, the Contractor is obliged to conduct an Occupational Risk Assessment process with a responsible supervisor of CEMEX Polska and its results should be presented to the people to perform a given job. The Assessment Results form the basis for the use of proper protection equipment by Contractor's employees as necessary for reducing or eliminating the hazards.
6. The Contractor's employees and sub-contractors during the provision of services for CEMEX Polska should have valid contracts (including contracts of employment or civil law contracts) to confirming the fact of their legal employment by the Contractor in the performance of work for CEMEX Polska and their responsibilities. CEMEX Polska is entitled to demand that the Contractor provides evidence to confirm such legal employment.
7. The employees of the Contractor must have valid H&S training and medical examination certificates as required by law. Before commencing work, the Contractor shall provide a CEMEX Polska's supervisor with a list of employees, along with information on H&S training and medical examination validity dates, and qualifications had as required by CEMEX Polska, confirmed with the signature by the employer or a person authorized by them, as in the table below. At the mining plants, it is required that the CEMEX Polska's supervisor be additionally provided with copies of documents that confirm receipt of H&S training, a copy of a medical certificate that allows a person to work and a copy of the licenses as required for a given type of work for CEMEX Polska in order for the employees to be allowed to work by the Mining Plant Operation Manager.

No.	Name and surname	Qualifications had	H&S training (validity date)	Medical examinations (validity date)	Psychotechnical examinations (validity date)

8. The verification of the H&S training and the medical examinations as required by law of contractors' employees that do road transportation for CEMEX Polska is done under the audit scheme as defined in point 14 of this annex.

9. Prior to undertaking the work for CEMEX Polska, the employees of the Contractor are obliged to undergo appropriate H&S induction training to be conducted by the H&S personnel or the plant manager or a person authorized by them. The induction training is to familiarize the employees with the H&S and fire protection regulations and rules effective on the premises of a CEMEX Polska plant (including the 12 rules of safe work) and also with all the potential hazards present at the plant. The H&S personnel, the plant manager or a person designated by them documents the training in the Training Log or in the CEMEX Polska Induction Training Completion Certificate.
10. All the Contractors working on the premises of CEMEX Polska plants are obliged to use the personal protection equipment. In particular, in any case and at all times on the premises of CEMEX plants four basic elements must be used, namely a hard hat, safety boots, safety glasses and high-visibility protective clothing (e.g. a safety vest) that covers at least the upper body. For all manual activities with the potential for hand injury, proper safety gloves should be used. The protective clothing to be used should include a long sleeve shirt or jacket and long leg trousers. When handling bulk materials under pressure (cement, fly ash, others), the use of safety goggles is strictly obligatory. Where necessary, other personal protection equipment, specific for a given hazard, should be used.
11. The personal protection equipment to be used by the employees of the Contractor must be compliant with the basic requirements for the personal protection equipment. Any auxiliary equipment – scaffolding, ladders, tools and other materials being used – must also have the attestations or conformity declarations as required.
12. The work of particular hazard must be performed under a written permit, including risk assessment of the work to be done, by at least 2 people and under direct supervision of the people designated by the Contractor to this end.
13. Transportation of people on the premises of CEMEX Polska plants must be done in accordance with the effective regulations, including the driver working time regulations, the traffic regulations, the H&S and fire protection rules and regulations, using the means of transport fit for this and having all necessary safety elements (including lights, indicators, mirrors as well as documents as required by law for a vehicle and for a given type of haulage). Any other vehicles used by for the provision of services to CEMEX Polska must meet the above requirements and others as included in specific regulations.
14. The contractors that do road transportation for CEMEX Polska agree to be audited on the premises of CEMEX Polska plants, with the audits covering their vehicles (including vehicle technical condition, mirror setting, equipment and status of daily vehicle technical inspections by the driver) and drivers (in terms of driver and vehicle documentation, personal protective equipment and drivers' behavior in respect health and safety and fire protection).
15. If CEMEX Polska identifies a violation by a contractor that does road transportation or its sub-contractors of the rules and regulations as referred to in points 10 and 13, CEMEX Polska shall be entitled to refuse to unload or load a vehicle and to apply the provisions of point 19 of this annex.
16. The employees of the Contractor are obliged to maintain their work places in due order.
17. The safety of the employees of the Contractor or the employees of Contractor's sub-contractors on the premises of CEMEX Polska plants, pursuant to the regulations, is the responsibility of their employer.
18. In the case of finding an accident at work involving its employee or a fire hazard/fire, the Contractor is obliged to immediately notify the H&S personnel and the manager of the plant where the accident occurred as well as to hand over the accident or fire hazard/fire circumstances establishment report.
19. If the Contractor, Contractor's sub-contractor or their employees have violated the H&S regulations and rules and fire protection regulations, including those in this Annex, CEMEX Polska shall be entitled to:
 - a) suspend, in full or in part, the performance of the Contract with the Contractor when these violations are serious or repeating until the parties agree and the Contractor implements a health and safety improvement plan on its side,
 - b) terminate the Contract with the Contractor without observing the notice period when these violations are serious or repeating and the Contractor has failed to implement the plan referred to in point a) within 14 days after CEMEX Polska suspends the performance of the Contract or summons the Contractor to implement such a plan, if the performance of the Contract has not been suspended although there were circumstances for that,
 - c) demand immediate expulsion of an employee committing serious or repeating H&S or fire protection violations from the plant and permanent replacement with another employee,

- d) apply conventional penalties and other actions against the Contractor as specified in the *H&S and Fire Protection Violation Penalty Catalogue* enclosed below. CEMEX Polska shall be entitled to deduct these conventional penalties from Contractor's fee arising from the Contract.
- e) demand payment of an indemnity by the Contractor to cover the losses arising from the violations of the H&S and fire protection regulations and rules if the losses exceed the conventional penalties as paid.
- f) apply penalties against the Contractor's drivers that commit violations of H&S or traffic regulations or rules as specified in the *H&S and Traffic Violation Driver Penalty Catalogue* attached to this Ruling.

H&S and fire protection Violation Penalty Catalogue

Type of Violation	Penalty for each consecutive violation			
I. Basic violations	First violation	Second violation	Third violation	Fourth and <u>each subsequent</u> violation
Failure to use the required personal protection equipment	Pln 1000	Conventional penalty Pln 2000	Conventional penalty Pln 3000	Suspension of the performance of the Contract or Pln 6000 (the number of violations is to include the violations under sections I, II and III of the Catalogue together)
Failure to comply with the H&S regulations and the CEMEX H&S rules when performing the work				
Leaving the work place in disorder				
II. Serious violations	First violation	Second violation	Third and <u>each subsequent</u> violation	
Operation of machinery and equipment without appropriate qualifications	Conventional penalty Pln 2000	Conventional penalty Pln 3000	Suspension of the performance of the Contract or Pln 6000 (the number of violations is to include the violations under sections II and III of the Catalogue together)	
Hazardous performance of the work without observing the safety procedures (instructions)				
Failure to comply with the fire protection regulations and rules, in particular: blocking the emergency exits, the access to fire protection equipment or safety switches				
Failure to use the collective protection equipment (taking off guards, barriers, safety switches and operating a machine without putting them on again)				
Making fire hazard or fire, not observing fire protection regulations				
III. Very serious violation	First violation	Second and <u>each subsequent</u> violation		
Failure to use the personal protection equipment during performance of hazardous work	Conventional penalty Pln 3000	Suspension of the performance of the Contract or Pln 6000		
Work without protection against accidental start-up of machinery and equipment				
Operation of machinery, equipment and vehicles with safety elements out of order				
Work at height without the required protection				
Staying on the premises of a plant when under the influence of alcohol or other intoxicants First and each subsequent violation	Suspension of the performance of the Contract or Pln 6000			

H&S and Traffic Violation Driver Penalty Catalogue

Type of Violation	Penalty for each consecutive violation			
I. Basic violations	First violation	I. Basic violations	First violation	I. Basic violations
Failure to comply with the H&S regulations and the CEMEX H&S rules when performing the work	Written warning	Entry ban for 1 month	Entry ban for 3 months	Entry ban
Failure to use the required personal protection equipment				
Failure to comply with the traffic regulations (driving with seatbelts fastened, lights, exceeding the speed limit by up to 10 kph)				
Bad technical condition of the vehicle				
Parking where not permitted				
II. Serious violations	First violation	Second violation	Third violation	
Failure to comply with the traffic regulations (exceeding the speed limit by 10 to 20 kph)	Entry ban for 1 month	Entry ban for 3 months	Entry ban	
Failure to use safety goggles/glasses when unloading bulk materials under pressure				
Walking on the vehicle trailer without raising the safety handrail				
Driving with the vehicle body unsecured Talking on the phone without a hands-free/headset while driving				
Driving with the vehicle body raised				
III. Very serious violation	First violation	Second violation		
Failure to comply with the traffic regulations (exceeding the speed limit by over 20 kph)	Entry ban for 3 months	Entry ban		
Not having entitlement to drive or an entitlement document to produce while driving the vehicle (driver's license, examination certificates)				
Driving under the influence of alcohol or other intoxicants on site	Entry ban			