

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

Edition 13

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### Annex to the Ruling no. 2/2017 of the Board of CEMEX Polska Sp. z o.o. of 25/01/2017

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 as well as the rules regarding the operation of the CEMEX Polska plants introduced for the effective period of an epidemic state or an epidemic threat state arising from the Polish legislation, the CEMEX Polska 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 their sub-contractors in this respect. This amounts to a condition of concluding a contract.
2. The Contractor's commitment to perform their work in a safe manner and in line with the H&S and fire protection regulations and rules as well as respecting the rules of health protection of any personnel during an epidemic state or an epidemic threat state effective in Poland and on the premises of the CEMEX Polska plants, based on internal regulations, is a condition of concluding a contract, with these requirements constituting an attachment to it.
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 Contractor's supervisor, together with a manager/specialist or H&S coordinator (if designated) of CEMEX Polska responsible for and 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 PERMIT TO WORK 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 a Risk Assessment process for the work to be done 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, in particular the use of the LOTOTO system at a given piece of equipment/machine.
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 confirm the fact of their legal employment by the Contractor in the performance of work for CEMEX Polska and their responsibilities, and the working time of the employees should not exceed the accepted working time limits. CEMEX Polska is entitled to demand that the Contractor provides evidence to confirm legal employment, too.
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 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 per the table below:

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

The data mentioned above may be entered in CEMEX Polska's electronic system.

When supervising the work being done, the CEMEX Polska supervisors and the CEMEX Polska H&S personnel may request the Contractor's employees to produce evidence of the qualifications and licenses that they have. 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.

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 in the hauler management process.
9. Prior to undertaking the work for CEMEX Polska, the Contractor or their employees are obliged to undergo appropriate H&S induction training or e-training to be conducted by CEMEX: the H&S personnel or the plant manager or a person authorized by them, or in the electronic system intended for that purpose. The induction training is to familiarize the employees with the H&S and fire protection regulations and rules, the rules regarding the operation of the CEMEX Polska plants introduced for the effective period of an epidemic state or an epidemic threat state effective on the premises of a CEMEX Polska plant 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, CEMEX Polska Induction Training Completion Certificate or electronic system intended for that purpose.
10. The Contractor or their employees (in particular concrete truckmixer and pump drivers) are obliged to undergo regular H&S thematic training as part of e-training on the training platform, organized by CEMEX Polska.
11. All the Contractors working on the premises of CEMEX Polska plants or contracted by CEMEX Polska to work at other locations outside Company's plants (e.g. in places of delivery or transshipment) are obliged to use the personal protection equipment. In particular, in any case and at all times on the premises of CEMEX Polska plants and in the places of delivery or transshipment), four basic elements must be used, namely a hard hat; safety boots of grade S3 (laced up ankle safety boots with safety toecaps and anti-puncture soles); vision protection in the form of general use safety glasses or goggles (while unloading cement tankers); and high-visibility protective clothing. During all manual activities where there is hand injury potential, suitable safety gloves should be used.

The protective clothing to be used should meet the high-visibility requirements for the upper and lower body part:

- a) the **trousers** should be of category 1 (fluorescent material 0.14 m<sup>2</sup> and reflective material 0.10 m<sup>2</sup>) or higher,
- b) the **upper part of clothing** of category 2 (fluorescent material 0.5 m<sup>2</sup> and reflective material 0.13 m<sup>2</sup>) at least.

The connection between the upper part of clothing and the lower part of clothing must fulfill the requirements for category 2 at least, according to EN ISO 20471. A shirt, smock or jacket to be used should have long sleeves and trousers should have long legs (wearing short sleeve t-shirts and shorts on the premises of CEMEX plants is forbidden). 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.

12. 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 have the attestations or conformity declarations as required.
13. The high risk/particularly hazardous work 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. A written permit, including risk assessment of the work to be done, is also applicable during any non-standard work, carried out during e.g. a failure, which is performed sporadically without prior preparation.
14. Transportation of people and goods on the premises of, and also to and from, 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 required by law (including lights, indicators, warning sign boards, mirrors), documents as required by law for a vehicle, driver and given type of haulage) as well as safety features required by CEMEX Polska (including a reversing alarm, wheel nut position indicators and others if pointed out in the contract with the contractor).
  - a) When providing a transport service to CEMEX Polska, the driver is strictly required to wear seat belts while driving (also on CEMEX Polska sites and customers' sites), use wheel chocks in designated areas and during designated activities to prevent their vehicle from moving and not to use mobile phones without a hands-free device designed for that purpose or a headset. Holding a conversation using a hands-free device while driving is only allowed in non-congested conditions and when safe to do so after assessing and continuing to assess the overall situation, which includes other traffic, pedestrians, visibility and the weather/elements at the time.

Every truck driver and mobile plant operator has an obligation to perform a documented check of their vehicle technical condition before they start work every day, with the check to be documented on paper or electronically.

15. The contractors (including also their legal sub-contractors /representatives) that do road transportation for CEMEX Polska agree to be audited on the premises of CEMEX Polska plants, during haulage, and at the places of delivery, 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).
16. The contractors that do provide services on the premises of CEMEX Polska plants and in the place of product (cement, concrete and aggregates) delivery are obliged to take any measures permitted by law to ensure that their employees and sub-contractors are not under the influence of alcohol.
17. If CEMEX Polska identifies a violation by a contractor that does road transportation or their sub-contractors of the rules and regulations as referred to in points 10, 11, 12, 13, 14 or 15, CEMEX Polska shall be entitled to refuse to unload or load a vehicle and to apply the provisions of point 22 of this annex.
18. The employees of the Contractor are obliged to maintain their work places in due order.
19. 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.
20. In the case of finding an accident at work involving their employee/sub-contractor or a fire hazard/fire, the Contractor is obliged to immediately notify the manager of the plant/department of CEMEX Polska where the accident occurred. In addition, the Contractor is obliged to hand over to CEMEX Polska the internal accident or fire hazard/fire circumstances establishment report (e.g. accident report) produced by the Contractor in consultation with CEMEX Polska.
21. During the periods ordered by the authorities as a state of epidemic or a state of epidemic threat, the Contractor undertakes to take any actions required by law or CEMEX Polska's internal regulations to keep to a minimum the risk of transmitting the virus to other people or objects, including in particular:
  - a) not allowing the people that have symptoms of a disease caused by the virus to work;
  - b) submitting to checks on account of the presence of disease symptoms or following other recommendations of CEMEX Polska's personnel with regard to combating the virus;
  - c) taking any organizational actions required by law or CEMEX Polska's internal regulations to protect the Contractor's, CEMEX Polska's and other entities' personnel against the virus – in particular, observing the rules of segregating (separating) specific groups of employees at plants as well as providing the employees with hygiene and personal protection items to reduce the hazard of catching the virus.
22. 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 (or terminate or withdraw from the contract as required) when these violations are serious or repeating until the parties agree and the Contractor implements a health and safety improvement plan on their 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 violations of H&S, fire protection regulations, or the restrictions, bans and orders as adopted in periods of an epidemic state or an epidemic threat state, 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 the Contractor's fee arising from the Contract.
  - e) demand the application of conventional penalties and other actions against the Contractor as specified in the *H&S and Fire Protection Violation Penalty Catalogue for the Contractors That Perform Non-Transportation Work and Services for CEMEX Polska* enclosed below. CEMEX Polska shall be entitled to deduct these conventional penalties from the Contractor's fee arising from the Contract or the payment of supplemental damages 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 and have not been covered by the insurance compensation process.

- 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 Penalty Catalogue for the Drivers That Perform Cement, Concrete, Aggregate, Raw Material, Alternative Fuel and Other Product Transportation and Concrete Pumping Services for CEMEX Polska* attached to this Ruling. A penalty applied to the Contractor may be different from that indicated in the Catalog in the event that a penalty is imposed on CEMEX Polska by a customer or supplier of CEMEX as a result of the Contractor's driver not complying with the H&S regulations or rules on the premises of CEMEX Polska's customer or supplier. In particular, it may be the equivalent of the penalty imposed on CEMEX Polska for the above-mentioned reason. (One year after the date of incident identification, the penalty expires - this applies to bulk cement, bagged cement, aggregate and raw material logistics).
  - g) apply the *H&S and Traffic Violation Penalty Catalogue for the Companies That Perform the Cement, Aggregate, Raw Material, Alternative Fuel and Other Product Transportation Service for CEMEX Polska and the Concrete Transportation and Pumping Service for CEMEX Polska* to the companies that perform the cement, aggregate, raw material, alternative fuel and other product transportation service for CEMEX Polska and the concrete transportation and pumping service for CEMEX Polska.
23. CEMEX Polska shall issue the Contractor's employees and sub-contractors free of charge, upon the Contractor's request, with appropriate access badges to selected CEMEX plants (where such badges are applicable) in accordance with CEMEX Polska's relevant procedures. CEMEX Polska will be entitled to charge the Contractor with a flat-rate additional fee of PLN 50 + VAT for each lost, not returned or damaged badge issued to the Contractor's employee or sub-contractor.
24. The Contractor consents to the participation of their company in the certification audit conducted by an auditor appointed by CEMEX Polska as part of the assessment of Contractors that perform services at CEMEX Polska's plants/sites; in particular, in respect of following the H&S and fire protection practices, regulations and rules arising from the Polish legislation and CEMEX Polska's H&S policy.
25. The Contractor consents to their driver's violation being additionally documented by taking a photo of or recording the event and to the above-mentioned documentation being used in the register and correspondence regarding the imposition of a penalty on the Contractor and the driver, in accordance with the catalog of penalties.

# H&S and Fire Protection Violation Penalty Catalogue for the Contractors That Perform Non-Transportation Work and Services for CEMEX Polska

Type of Violation	Penalty for each consecutive violation within 12 months			
I. Basic violations	First violation	Second violation	Third violation	Fourth and each subsequent violation
1. Failure to use the required personal protection equipment / protective clothing	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)
2. Failure to comply with the H&S regulations and the CEMEX H&S rules when performing the work				
3. Leaving disorder at one's workstation or in one's work area				
4. Failure to comply with the organizational rules related to contagion prevention (point 21)				
5. Using the phone without a hands-free device/headset and not wearing a seatbelt while driving				
II. Serious violations	First violation	Second violation	Third and each subsequent violation	
1. Operation of machinery and equipment without appropriate qualifications		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)	
2. Hazardous performance of the work without observing the safety procedures and instructions (the Safety Essentials)				
3. 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				
4. Making fire hazard or fire, not observing fire protection regulations				
5. Physical violence				
6. Working on running machinery/equipment with guards, limit switches and other safety features removed				
III. Very serious violations	First violation	Second and each subsequent violation		
1. Failure to use the personal protection equipment during performance of particularly hazardous work	Conventional penalty Pln 3000	Suspension of the performance of the Contract or Pln 6000		
2. Failure to report an accident at work or a fire hazard within the time and in the way stipulated by the contract				
3. Doing particularly hazardous work without a written permit				
4. Working in a confined space without required protection measures				
5. Working on the water or by the water (designated zone) without using life jackets/buoyancy aids				
6. Allowing an employee with visible infectious disease symptoms to work (point 21 b)				
III. Heavy violations	First and each subsequent violation			
Being at a plant while under the influence of alcohol or other intoxicants; Working without protecting machinery, equipment and vehicles against accidental start-up (LOTOTO); Working at height without required protection measures	Suspension of the performance of the Contract or Pln 6000			

# H&S and Traffic Violation Penalty Catalogue for the Drivers That Perform Cement, Concrete, Aggregate, Raw Material, Alternative Fuel and Other Product Transportation and Concrete Pumping Services for CEMEX Polska

Type of Violation	Penalty for each consecutive violation			
I. Basic violations	First violation	Second violation	Third violation	Fourth violation
1. Failure to comply with the H&S regulations and CEMEX Polska's H&S rules when performing the work	Written warning	Entry ban for 1 month	Entry ban for 2 months	Entry ban
2. Failure to use the required personal protection equipment (safety helmet, glasses, high visibility clothing, working footwear, safety gloves)				
3. Failure to comply with the traffic regulations (not using seatbelts, lights, exceeding the speed limit by up to 15 kph)				
4. Incorrect technical condition of the vehicle and failure to close out recommendations following an audit carried out (applicable to vehicles other than CEMEX Polska's ones)				
5. Failure to report to receive CEMEX's induction training				
6. Not using wheel chocks in designated areas and during designated activities				
7. Using the phone without a hands-free device/headset while driving				
8. Failure to use hatch opening and closing platforms for semi-trailer bulk material transportation (cement, fly ash – at plants that have these platforms)				
9. Failure to comply with the organizational rules related to contagion prevention (point 21)				
10. Failure to have periodic H&S driver training (concrete transport)				
II. Serious violations	First violation	Second violation	Third violation	
1. Failure to comply with the traffic regulations (exceeding the speed limit by 15 to 30 kph)	Entry ban for 1 month	Entry ban for 2 months	Entry ban	
2. Failure to carry out daily vehicle checks, failure to fill in a delivery docket/pump operation sheet completely (including the My Space section)				
3. Failure to use safety goggles when unloading bulk materials under pressure				
4. Failure to use three points of contact				
5. Walking on the vehicle trailer tanker without raising the safety handrail				
6. Driving with the vehicle body unsecured and/or raised				
7. Leaving the bulk cement loading area with the red light on				
III. Very serious violations	First violation	Second violation		
1. Failure to comply with the traffic regulations (exceeding the speed limit by over 30 kph)	Entry ban for 2 months	Entry ban		
2. Failure to report an accident at work or a fire hazard within the time and in the way stipulated by the contract				
3. Not having entitlement to drive (driver's license, examination certificates)				
4. Causing a collision or accident at CEMEX's plants or place of delivery				
5. Allowing an employee with visible infectious disease symptoms to work (point 21 a)				
6. Driving under the influence of alcohol or other intoxicants on site	Entry ban			
7. Any proven unsafe behavior that may result in a truck overturn (e.g. speeding). (A violation will be examined based on the individual results of a violation investigation procedure)	Entry ban			

# H&S and Traffic Violation Penalty Catalogue for the Companies That Perform the Cement, Aggregate, Raw Material, Alternative Fuel and Other Product Transportation Service for CEMEX Polska and the Concrete Transportation and Pumping Service for CEMEX Polska.

Type of Violation	Penalty for each consecutive violation			
I. Basic violations	First violation	Second violation	Third violation	Fourth violation
1. Failure to comply with the H&S regulations and CEMEX Polska’s H&S rules when performing the work	Pln 100	Pln 200	Pln 400	Suspension of the performance of the Contract
2. Failure to use the required personal protection equipment (safety helmet, glasses, high visibility clothing, working footwear, safety gloves)				
3. Failure to comply with the traffic regulations (not using seatbelts, lights, exceeding the speed limit by up to 15 kph)				
4. Incorrect technical condition of the vehicle and failure to close out recommendations following an audit carried out				
5. Failure to report to receive CEMEX induction training				
6. Not using wheel chocks in designated areas and during designated activities				
7. Using the phone without a hands-free device/ headset while driving				
8. Failure to use hatch opening and closing platforms for semi-trailer bulk material transportation (cement, fly ash)				
9. Failure to comply with the organizational rules related to contagion prevention (point 21)				
10. Failure to have periodic H&S driver training (concrete transport)				
II. Serious violations	First violation	Second violation	Third violation	
1. Failure to comply with the traffic regulations (exceeding the speed limit by 15 to 30 kph)	Pln 200	Pln 400	Suspension of the performance of the Contract	
2. Failure to carry out daily vehicle checks, failure to fill in a delivery docket/pump operation sheet completely (including the My Space section)				
3. Failure to use safety goggles when unloading bulk materials under pressure				
4. Failure to use three points of contact				
5. Walking on the vehicle trailer tanker without raising the safety handrail				
6. Driving with the vehicle body unsecured and/or raised				
7. Leaving the bulk cement loading area with the red light on				
III. Very serious violation	First violation	Second violation		
1. Failure to comply with the traffic regulations (exceeding the speed limit by over 30 kph)	Pln 400	Suspension of the performance of the Contract		
2. Failure to report an accident at work or a fire hazard within the time and in the way stipulated by the contract				
3. Not having entitlement to drive (driver’s license, examination certificates)				
4. Causing a collision or accident at CEMEX’s plants or place of delivery				
5. Allowing an employee with visible infectious disease symptoms to work (point 21a)				
6. Driving under the influence of alcohol or other intoxicants on site	A financial penalty of Pln 3000 and/or suspension of the performance of the Contract (suspension of the contract requires a collegial decision based on an analysis of the working relationship with the hauler till now), the offender is banned from working for CEMEX Polska.			
7. Any proven unsafe behavior that may result in a truck overturn (e.g. speeding). (A violation will be examined based on the individual results of a violation investigation procedure)	A financial penalty of Pln 3000 and/or suspension of the performance of the Contract (suspension of the contract requires a collegial decision based on an analysis of the working relationship with the hauler till now), the offender is banned from working for CEMEX Polska.			