

## **08. YARA SLUISKIL B.V. ENFORCEMENT POLICY – version 10.0**

### **8.1 Purpose of the enforcement policy**

This enforcement policy states that compliance with rules on safe working practices and ethics is a prerequisite for working at Yara Sluiskil. Preventing accidents and health damage is a core objective of the company. Working safely is in everyone's interest and requires an effort from everyone. A safety agreement has been signed between Yara Management and the Works Council, which sets out agreements to ensure that everyone can return home safely and healthily at the end of the working day. If agreements are not complied with, this enforcement policy applies.

The enforcement policy contributes to ensuring that, if the rules are broken, the person concerned is aware of the way in which a violation is uniformly sanctioned, and is also intended to show that breaking the rules will not be tolerated and that this will have consequences. The severity of the consequence depends on the violation and the number of times the violation is committed.

Employees and third parties who are directly involved in a violation are given the opportunity to have a discussion with their direct supervisor as well as Human Resources or, in the case of third parties, with the contract manager at Yara, prior to the possible imposition of a sanction.

### **8.2 Applicability**

The enforcement policy applies to everyone who has entered the Yara Sluiskil B.V. site.

### **8.3 Laws and regulations / company rules related to enforcement**

- Working Conditions Act, Article 3 Employer's duty of care – Occupational health and safety policy.
- Working Conditions Act, Article 11 General obligations of employees.
- HAE-027256 'Privacy policy'.

### **8.4 Risk assessment**

Depending on the nature of the violation, enforcement will take place. In order to be able to decide on the seriousness of the violation, the following assessment is used.

Impact*	Small	Big	Very big
Enforcement	Mild	Average	Severe

*\* Impact = the possible consequences for the person involved and the organisation on the basis of clear procedures and instructions.*

The severity of the enforcement can be adjusted according to the circumstances or possible consequences of the violation for the persons involved and the organisation. The overviews in §8.5 and §8.6 are not exhaustive.

## 8.5 Enforcement regarding employees

The table below shows an overview of possible violations and the associated enforcement category. Reference is made to the applicable procedures in the YMS system in which the rules relating to the subjects listed below are described.

Violation	Procedure	Enforcement			
		Step 1	Step 2	Step 3	Step 4
Smoking in places where this is not allowed	026589				1 <sup>st</sup> time
Under the influence of alcohol/drugs on the Yara site (after 1 <sup>st</sup> and/or 2 <sup>nd</sup> supporting programme)	027257				1 <sup>st</sup> time
Under the influence of alcohol/drugs on the Yara site	027257	See HAE-027257 'Alcohol and drugs policy'			
Violation of the golden rule 'Overhead work'	026195			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working with dangerous chemicals'	028294			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working in confined spaces'	026167			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working with secured equipment, machinery and their safety features'	028294			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working on energised equipment'	028294 026168			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Road safety': - Violation of $\geq 15$ km/h above the set max. speed. - Ignored road closures.	025858			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Road safety': - Not wearing a seat belt. - Not wearing a helmet on a motorcycle or moped. - Non-handsfree use of mobile devices in traffic. - Unauthorised driving in a vehicle. - Transporting passengers in vehicles that are not designed for this purpose. - Violation of $< 15$ km/h above the set max. speed. - Not securing the vehicle's load. - Not adhering to traffic regulations.	025858       025858		1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
- Parking in places where this is not allowed.	025858	See HAE-025858 'On-site traffic', §6.3			
Not wearing additional PPE: - Visor and safety/splash goggles. - Protective respiratory equipment. - Hand and arm protection.	028322		1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
Welding/grinding without the prescribed protective measures.			1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
Not wearing standard PPE: - Safety helmet and goggles. - Closed-off clothing. - Hearing protection. - Safety shoes.	028322 028294	1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time	4 <sup>th</sup> time
Violation of Yara's Code of Conduct: - The step is determined depending on the gravity of the violation.	See <a href="https://pulse.yara.com/business/ethics/Pages/Yara-Code-of-Conduct.aspx?WT.ac=shortcuts_codeofconduct">https://pulse.yara.com/business/ethics/Pages/Yara-Code-of-Conduct.aspx?WT.ac=shortcuts_codeofconduct</a>				

*\*We speak of 'repetition' of a violation if it occurs within twelve months after the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> violation.*

**Step 1: Reprimand** – *Discussion between the manager and the person involved*

A discussion takes place between the direct manager and the person involved, in which it is ascertained whether the employee has sufficient knowledge of the relevant rules. The direct manager and the employee discuss the (safety) problem. The manager underlines once again why it is important to work safely, how to work safely and that this should be the case from now on. If necessary, additional instructions are given and the employee is reminded of the enforcement process. This will be confirmed by the manager to the person involved via email.

**Step 2: Written warning** – *Discussion between the department manager, direct manager, HR and person involved + a written warning*

A discussion takes place between the department manager, the direct manager, Human Resources and the person involved, during which the person involved receives a written warning. If necessary, an improvement process is started.

The Works Council is informed of the violation and sanction. For twelve months, a copy of the written warning shall be kept in the personnel file of the person involved at Human Resources. When the written warning is removed from the personnel file after twelve months, the person involved will be informed in writing.

**Step 3: Time-out** – *Discussion between the plant manager, department manager, direct manager, HR and person involved + written warning and time-out*

A discussion takes place between the plant manager, department manager, direct manager, HR and the person involved. During this discussion, the person involved will receive a written warning from the plant manager and a notice of time-out in the form of compulsory leave (paid or unpaid) for a period of time to be determined. During the time-out, the person involved is given time to reflect on the impact of the violation, its possible consequences and the prevention of similar incidents in the future. If necessary, an improvement process is started.

The Works Council is informed of the violation and sanction. For at least two years, a copy of the written warning shall be kept in the personnel file of the person involved at Human Resources. After two years, the HR manager Netherlands or the plant manager will evaluate whether the letter can be removed from the file or whether the term is to be extended by another year. The person involved will be informed of this in writing.

**Step 4: Termination of employment contract**

Human Resources will start the process to terminate the employment contract. The Works Council will be informed of this.

## 8.6 Enforcement regarding third parties

The table below shows an overview of possible violations and the associated enforcement category. Reference is made to the applicable procedures in the YMS system in which the rules relating to the subjects listed below are described.

Violation	Procedure	Enforcement			
		Step 1	Step 2	Step 3	Step 4
Smoking in places where this is not allowed	026589				1 <sup>st</sup> time
Under the influence of alcohol/drugs on the Yara site	027257			1 <sup>st</sup> time	2 <sup>nd</sup> time
In possession of alcohol/drugs on the Yara site	027257 027350		1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
Violation of the golden rule 'Overhead work'	026195			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working with dangerous chemicals'	028294			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working in confined spaces'	026167			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working with secured equipment, machinery and their safety features'	028294			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Working on energised equipment'	028294 026168			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Road safety': - Violation of $\geq 15$ km/h above the set max. speed. - Ignored road closures.	025858			1 <sup>st</sup> time	2 <sup>nd</sup> time
Violation of the golden rule 'Road safety': - Not wearing a seat belt. - Not wearing a helmet on a motorcycle or moped. - Non-handsfree use of mobile devices in traffic. - Unauthorised driving in a vehicle. - Transporting passengers in vehicles that are not designed for this purpose. - Violation of $< 15$ km/h above the set max. speed. - Not securing the vehicle's load. - Not adhering to traffic regulations.	025858       025858		1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
- Parking in places where this is not allowed.	025858	See HAE-025858 'On-site traffic', §6.3			
Not wearing additional PPE: - Visor and safety/splash goggles. - Protective respiratory equipment. - Hand and arm protection.	028322		1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
Welding/grinding without the prescribed protective measures.			1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time
Not wearing standard PPE: - Safety helmet and goggles. - Closed-off clothing. - Hearing protection. - Safety shoes.	028322 028294	1 <sup>st</sup> time	2 <sup>nd</sup> time	3 <sup>rd</sup> time	4 <sup>th</sup> time
Violation of Yara's Code of Conduct: - The step is determined depending on the gravity of the violation.	See <a href="https://pulse.yara.com/business/ethics/Pages/Yara-Code-of-Conduct.aspx?WT.ac=shortcuts_codeofconduct">https://pulse.yara.com/business/ethics/Pages/Yara-Code-of-Conduct.aspx?WT.ac=shortcuts_codeofconduct</a>				

*\*We speak of 'repetition' of a violation if it occurs within twelve months after the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> violation. In the event that the last violation has led to a refusal of access to the site, the twelve months start from the moment that the person involved was supposed to start work again on the Yara Sluiskil site.*

**Step 1: Reprimand** – *Discussion between the supply manager, the person involved and their manager*

The Supply Manager and/or Contract Manager for Maintenance will have a discussion with the person involved and their manager from the company involved. The manager from Yara, under whose responsibility the work was carried out or for whom the person involved visited the Yara site, will also be present. It is once again underlined to the person involved why it is important to work safely, how to work safely and that this should be the case from now on. If necessary, additional instructions are given and the person involved is reminded of the enforcement process. The company management of the person involved will be notified of the discussion in writing by Supply management.

**Step 2: Written warning** – *Written warning with notice of submission of improvement plan and/or temporary refusal of access to the site (time-out)*

A written warning from Yara Management will be sent to the company involved with the notice that:

- a. if the violation is repeated, the person involved will be denied access to the site, and that the company involved must submit an improvement plan aimed at preventing a repetition.  
or
- b. the person involved has been denied access to the site for a period to be determined, and that the company involved must submit an improvement plan aimed at preventing a repetition.

**Step 3: Refusal of access to site for a period to be determined**

The person involved is denied access to the site. Supply management will inform the security department, which will in turn ensure that the person involved will no longer have access to the Yara Sluiskil site for the period to be determined. Yara Management will inform the company involved in writing of the sanction applied, and asks the company to submit an improvement plan aimed at preventing repetition. The company in question may, after the expiry of the period, submit a written request to Yara Management to provide access to the person involved. The decision by Yara Management will be based, among other things, on the effectiveness of the improvement plan that was submitted at the time.

**Step 4: Permanent refusal of access to site**

The person involved will permanently be denied access to the site. Supply management will inform the security department, which will in turn ensure that the person involved will never again have access to the Yara Sluiskil site. Yara Management will inform the company involved in writing of the sanction applied.