

GENERAL REQUIREMENTS ON OCCUPATIONAL HEALTH AND SAFETY IN PKN ORLEN S.A.

1. PARTIES COMMITMENTS.

1.1 PKN ORLEN S.A. and the Contractor will, under the agreement, undertake to abide by the following general principles:

- 1.1.1 goal orientation – „avoiding damage to people and property”,
- 1.1.2 rational use of materials and energy,
- 1.1.3 playing a leading role in promoting good practices in the industry,
- 1.1.4 management of occupational health and safety, fire protection and process safety issues with the utmost care and commitment of all employees. This way, the parties will strive to achieve proud in the results achieved in this area, thanks to which they gain the trust of customers, shareholders and the general public, contributing to sustainable development.

1.2 The Contractor shall comply with all the requirements set out in these regulations and in the Guidelines no. 1 and no. 2, with appendices.

1.2.1 Guidelines no. 1 and no. 2, with appendices, are an integral part of this “General requirements...” and contain the general rules set out in the Comprehensive Prevention System (KSP). Guidelines no. 1 and no. 2 will be hereinafter referred to as “Guidelines”.

1.2.2 **Guidelines no. 1** – „ Design guidelines for the construction of new and modernization of existing facilities at the Production Facility and Fuel Terminals of PKN ORLEN S.A.”

1.2.3 **Guidelines no. 2** – „Occupational Health and Safety guidelines for Contractors from the Comprehensive Prevention System of PKN ORLEN S.A.”.

1.2.4 The guidelines are available on the website www.orklen.pl following path :

O firmie/O spółce/Nasze standardy/Bezpieczeństwo w ORLENIE/Wykonawcy zewnętrzni/ Wymagania bezpieczeństwa

or at:

<https://www.orklen.pl/pl/o-firmie/o-spolce/nasze-standardy/bezpieczenstwo-w-orklenie/wykonawcy-zewnetrzni/wymagania-bezpieczenstwa>

1.2.5 Non – compliance with the requirements set out in these regulations and Guidelines No. 1 and 2 together with appendices, by the Contractor or any of the Contractor's employees shall constitute a serious breach of the Agreement.

1.3 The Contractor shall inform his employees about the applicable requirements before commencing the performance of any services, instruct employees about the obligation to strictly comply with them and warn of the consequences arising in the event of non-compliance. If the employee fails to comply with these requirements, the Contractor shall immediately prevent such employee from continuing to provide the Services and replace him with a replacement employee.

1.4 The Contractor declares that he has familiarized himself with the applicable requirements in the field of occupational safety, fire protection and process safety contained in generally applicable

provisions as well as in Guidelines No. 1 and Guidelines No. 2 together with appendices and undertakes to comply with them.

- 1.5** If the Employer provides the Contractor with additional guidelines for occupational health and safety, fire protection, process safety or recommendations for the safe conduct of works and protection of designed facilities covered by the subject of the Agreement after signing the Agreement, the Contractor shall comply with these guidelines and recommendations.

2. DESIGN AND PLANING.

- 2.1** The Contractor is obliged to take into account the following issues at the stage of developing the concept of the subject of the Agreement:

- a) issues related to human safety,
- b) requirements resulting from the principles of good practice and technical progress,

and then in the developed documentation.

- 2.2** At the design stage of the subject of the Agreement, the Contractor is required to identify significant potential hazards, as well as threats to people that may occur during construction, implementation, assembly and commissioning, testing, operation and decommissioning of the facilities covered by the subject of the Agreement.

- 2.3** The Contractor is required to design the facilities covered by the subject of the Agreement in such a way that, in addition to the implementation of technological, technical, organizational and economic functions:

2.3.1 the essential requirements set out in the implementing provisions of the *Act on the conformity assessment system* in relation to these facilities have been taken into account, if such requirements have been established, as well as the requirements of occupational health and safety, fire protection and process safety set out in relevant generally applicable provisions and requirements included in the Guidelines regarding the subject of the Agreement;

2.3.2 the required safety and limited risk of loss of human health during its construction, implementation, assembly and start-up, testing, operation and decommissioning of facilities covered by the subject of the Agreement have been taken into account;

2.3.3 the risk of losing people's health on the Employer's premises has been limited to the required level.

- 2.4** As part of the project, the Contractor is required to develop:

2.4.1 criteria to assess whether the subject of the Agreement is safe for people during construction, testing, implementation, assembly, commissioning, operation and decommissioning;

2.4.2 rules for applying safety measures for people provided at the design stage of the subject of the Agreement;

2.4.3 principles for evaluation and reduction of risk to people during construction, testing, implementation, assembly, commissioning, operation and decommissioning of the subject of the Agreement and analysis of the adopted design solutions based on these criteria, present this analysis in the developed documentation, as well as develop summaries of the aforementioned criteria broken down into stages of construction, commissioning and operation.

3. HEALTH AND SAFETY MANAGEMENT SYSTEM

- 3.1** The Contractor declares that he has implemented the Occupational Health and Safety Management System and undertakes to maintain the validity of the certificate for this System throughout the period of implementation of the subject of the Agreement.
- 3.2** The Contractor takes full responsibility for the involvement of subcontractors with implemented Occupational Health and Safety Management System to perform particularly hazardous works, except for cases specified by the Employer.
- 3.3** In special cases, it is allowed to involve a further subcontractor for particularly hazardous works, provided that he has implemented the Occupational Health and Safety Management System, after prior approval of the Employer's Group OHS and Prevention Coordination Department. For this purpose, the Contractor is obliged to submit an application for acceptance together with the Certificate aforementioned to the Employer.
- 3.4** In case of entrusting work to a Contractor who does not have an implemented Occupational Health and Safety Management System, the Contractor is obliged to comply with the requirements of occupational health and safety, process safety and fire protection provided by the Employer.

4. CONDUCTING WORKS ON THE PREMISES OF PKN ORLEN S.A.

4.1 *General provisions*

- 4.1.1 The Contractor will ensure that all persons designated to perform the subject of the Agreement will be provided with access cards with a photo and name (passes), as well as clothing labeled with the company name.
- 4.1.2 The Contractor's own employees and subcontractors are obliged to comply with the provisions and principles of occupational health and safety specified in state regulations as well as in the Guidelines on work safety standards in PKN ORLEN S.A. provided for the Contractor.

4.2 *Preparation and organization of works:*

- 4.2.1 The Contractor is obliged to:
 - a) apply appropriate measures to reduce occupational risk in practice, as well as to draw up a Safety and Health Protection Plan (BIOZ) before commencing work, in accordance with the principles and provisions set out in the relevant provisions in cases required by these provisions,
 - b) draw up the Instruction for the Safe Performance of Works or the "Plan for the safe performance of works on the premises of PKN ORLEN S.A." in accordance with the requirements included in Guidelines No. 2 before the commencement of works.
- 4.2.2 The Contractor agrees that in situations where other Contractor's employees perform work in the same place as his employees, he will cooperate with those Contractors in matters of health and safety, fire protection and process safety.
- 4.2.3 Prior to the commencement of works covered by the Agreement, the Employer's representative shall agree with the Contractor's representative on the principles of mutual cooperation, conduct, supervision and communication in a matter of all aspects of occupational health and safety, process safety and fire protection that may occur during the implementation of the Agreement.

- 4.2.4 The Contractor is obliged to carry out a risk assessment associated with works carried out on the premises of PKN ORLEN S.A. before commencing these works and to document this assessment in accordance with the Polish Standard PN-ISO-45001:2018 or the standard used in the European Union, as well as to present the documentation from this assessment at the request of a representative of the Employer.
- 4.2.5 Prior to the commencement of works, the Contractor is obliged to present and to send to the Employer's Occupational Safety and Health Office a completed "Health and Safety Declaration", a template of which is given in Guidelines No. 2.

4.3. Positions and work processes, particularly hazardous works.

- 4.3.1 Conducting works at PKN ORLEN S.A. is possible only after obtaining by the Contractor a written work permit issued in accordance with the Employer's internal regulations and requirements contained in Guidelines No. 2.
- 4.3.2 For the purposes of each written work permit, the Contractor is obliged to submit to the Ordering Party (the person issuing the written work permit) a name list of the Contractor's employees and subcontractors.

4.4. Technical condition of machines, devices, tools.

- 4.4.1 The Contractor is obliged to use only tools, materials and fully functional equipment with appropriate technical approvals, attestations, accreditations and certificates.
- 4.4.2 On the premises of PKN ORLEN S.A. there is a total ban on repairs of: cars, heavy equipment, construction machines and other such vehicles. Only activities described in the user's manual are allowed, which may only be performed by authorized personnel with appropriate records in the scope of duties, risk assessment and instructions.
- 4.4.3 The Contractor is obliged to possess and present to the Employer's representative the operational documentation for each machine or equipment, e.g. protective measurements, maintenance inspections, confirmation of admission of the Technical Transport Inspection, the Office of Technical Inspection, and other documents confirming the safety of use.
- 4.4.4 Other requirements in this matter are included in the Guidelines.

4.5 Employees - training, medical examinations, qualifications, experience, medical care.

- 4.5.1 Each employee of the Contractor and employees of his subcontractors or every other persons working for them must, before commencing the provision of services, participate in an instructional safety training on hazards to safety and health and fire protection during performance of works on the Employer's premises, as well as verification of their theoretical knowledge and practical skills in the field of health and safety, technology and local threats, implemented by OHS and ZSP PKN ORLEN S.A., ORLEN Eko Sp. z o.o. and by the PKN ORLEN S.A. Training Center.
- 4.5.2 The Contractor declares that his employees performing works on the premises of PKN ORLEN S.A. have valid medical certificates on the absence of health contraindications to perform these works, and proper qualifications to perform the works under the subject of the Agreement.
- 4.5.4 The Contractor agrees to provide employees with medical care and to organize care for an employee injured in an accident event occurring while performing works on the premises of PKN ORLEN S.A.

- 4.5.5 If the working conditions do not correspond to the provisions of occupational safety and fire protection and pose a direct threat to the health and life of the Contractor's employee or if his work threatens such danger to other persons, the Contractor's employee shall have the right to refrain from performing work, notifying his superior immediately.
- 4.5.6 If refraining from performing work does not remove the aforementioned threat, the employee of the Contractor has the right to move away from the place of danger, notifying his superior immediately. The Contractor is obliged to inform the Employer about the identified threat and suspension of work.
- 4.5.7 The Contractor's employees are obliged to immediately report all occupational safety hazards identified by them in the area of their work, as well as in PKN ORLEN S.A. Detailed rules for reporting occupational safety hazards are set out in Guidelines No. 2.

4.6. Internal transport, internal roads.

- 4.6.1 Prior to the commencement of works, the Contractor is obliged to inform his employees, employees of subcontractors and other persons working for them, that on the PKN ORLEN premises they can only follow a designated route to the place of work and stay in the area of work covered by the subject of the Agreement.
- 4.6.2 Persons carrying out work for the Contractor are prohibited from staying outside the designated area and roads, except in cases related to the implementation of the Agreement.
- 4.6.3 Entry of means of transport to the Production Facility, CCGT Plant or PTA Plant and fuel terminals is carried out on the basis of a written permission for vehicle entrance.

4.7. Fire and explosion safety.

- 4.7.1 The Contractor declares that the employees acting on his behalf, while performing and securing fire-hazardous works, will use equipment with valid technical inspections, and in the case of performing works in areas where potentially explosive atmospheres may arise, admissions to work in an explosive atmosphere.
- 4.7.2 The Contractor is obliged to carry out:
 - a) a fire risk assessment when carrying out works requiring the use of open fire on the Employer's premises;
 - b) an explosion risk assessment when planning works in places where explosive atmospheres may occur.

4.8. Information on crisis events.

- 4.8.1. The Contractor declares that he will provide the Employer's *Group OHS and Prevention Coordination Department* with information regarding all accidents at work and accident events of his employees and subcontractors that occurred during the performance of works at PKN ORLEN S.A. according to the templates included in Guidelines No. 2, after prior removal of personal data of the injured party and other persons appearing in these documents.
- 4.8.2. The Contractor declares that he undertakes to conduct an accident investigation in the presence of a representative of the Employer's *Group OHS and Prevention Coordination Department*, as well as to provide a copy of the accident documentation prepared in accordance with the provisions in force in this matter, after prior removal of personal data of the injured party and other persons appearing in these documents.

- 4.8.3 The Contractor declares that he will provide the Employer's Fire Brigade with information on all fire incidents (ignition, auto ignition, fire) and other local hazards that he notices while working on the premises of PKN ORLEN S.A. according to the template included in Guidelines No. 2.

4.9. Subcontractors safety management.

- 4.9.1 The Contractor bears full responsibility for:
- a) informing the Employer and obtaining his consent to employ the Subcontractor and further subcontractors.
 - b) the involvement of Subcontractors with certified Occupational Health and Safety Management Systems, except for cases specified by the Employer,
 - c) the actions and omissions of his own as well as their subcontractors and further subcontractors and other persons working on their behalf.
- 4.9.2 The Contractor is obliged to include in contracts concluded with Subcontractors for works carried out at PKN ORLEN S.A. requirements set out in these regulations and provisions:
- a) „The subcontractor declares that he will carry out particularly hazardous works under the subject of the Agreement completely independently without the participation of further subcontractors and other persons working on their behalf”.
 - b) „The subcontractor is fully responsible for the actions and omissions of further subcontractors and other persons working for them, as well as for their own actions and omissions”.
- 4.9.3 The Contractor is obliged to inform the Employer about the presence of subcontractors and their further subcontractors, as well as other persons working on their behalf, on the premises of PKN ORLEN S.A, before commencing work.
- 4.9.4. Other requirements in this matter are included in the Guidelines no. 2.

4.10 OHS and fire protection inspections and supervision.

- 4.10.1 During performance of works on the premises of PKN ORLEN S.A. the Contractor is obliged to ensure:
- a) the supervision of the OHS and fire protection services in the number of at least 1 person for every 100 employed to implement the subject of the Agreement,
 - b) supervision of the OHS service in the number of at least 1 person for every 50 employed while performing particularly hazardous works.
 - c) supervision of the fire protection service in the number of at least 1 person for every 50 employed while performing fire-hazardous works .
 - d) direct supervision of a superior in the number of at least 1 person for every 10 employed while performing particularly hazardous works.
- 4.10.2 The Employer reserves the right to carry out inspections regarding compliance with applicable regulations and principles of work safety, fire protection and process safety.
- 4.10.3 The Contractor declares that in matters of occupational health and safety and fire protection as well as process safety he will, together with his employees and employees of subcontractors, respect the remarks and orders of the Employer's representatives including OHS and fire protection services and the OHS Coordinator,

and undertakes to cooperate in the field of accident and fire prevention during works carried out at PKN ORLEN S.A.

- 4.10.4 For investment and renovation processes at PKN ORLEN S.A. the OHS Coordinator is obliged to conduct daily safety visits (the so-called Safety Walks) with representatives of the Contractor's OHS services and draw up relevant documents indicated by the OHS and fire protection services of the Employer.

4.11. Protective clothing, safety shoes and other personal protective equipment.

- 4.11.1 The Contractor is obliged to equip employees with protective clothing, safety shoes and other personal protective equipment suited to protect against the existing hazards, taking into account risk assessment. Detailed requirements in this matter are included in Guidelines No. 2
- 4.11.2 All personal protective equipment as well as safety shoes and protective clothing must bear the CE marking.

4.12. Sanctions.

- 4.12.1 If the supervision of the Employer finds that the Contractor does not comply with the provisions of this paragraph during the implementation of the Agreement and the gross violation of the provisions and principles of occupational health and safety, fire protection or process safety included in generally applicable provisions, as well as the requirements contained in the Guidelines, by Contractor's employees, the Employer reserves the right to conduct proceedings according to the principles set out in Guidelines No. 2 and the Contractor undertakes to apply and / or comply with these principles and to implement decisions issued by the Employer on their basis.
- 4.12.2 Violation of obligations regarding compliance with OHS and fire protection rules constitutes a significant violation of the terms of the Agreement and is the basis for its termination by the Employer with immediate effect and for withdrawal from the Orders being carried out.

4.13. Work environment protection.

- 4.13.1 The Contractor is obliged to control all substances, tools, materials and equipment used in the implementation of works, determine their impact on the safety of works and provide related information, training and protective equipment for employees.
- 4.13.2 The Contractor agrees that any used hazardous substances will be at the worksite only for the time necessary to carry them out. Hazardous substances together with containers or packaging will be removed by the Contractor from the workplace in accordance with the principles set out in relevant legal regulations.
- 4.13.3 The Contractor shall reduce to the absolute minimum, through control and application of protective measures, any inconvenience arising from dust or smoke resulting from the conduct of works.
- 4.13.4 The Contractor agrees to control the noise level at the workplace and will comply with restrictions imposed by local authorities in this regard. The Contractor undertakes to endeavor to reduce noise levels through proper selection and maintenance of equipment and devices.

4.14 Reporting.

- 4.14.1 After the end of each month (by the 5th day of the following month), the Contractor is obliged to report to the Employer the progress of works conducted for the Employer and the number of man-hours worked by Contractor's employees and by his

subcontractors at the premises of PKN ORLEN S.A. to correctly determine the accident indicators.

- 4.14.2 The OHS Coordinator is obliged to periodically report to the Employer's *Group OHS and Prevention Coordination Department* the results of his activities in a manner agreed with representatives of the OHS and fire protection services of the Employer.

5. FINAL PROVISIONS.

- 5.1** The Contractor bears full responsibility for the actions and omissions of his own as well as their subcontractors and further subcontractors and other persons working on their behalf.
- 5.2** The Contractor carrying out investment works on the premises of the Production Facility, CCGT Plant or PTA Plant and the Employer's fuel terminals or adjacent areas and planning to create social facilities and / or organizes a construction site, is obliged to comply with the provisions contained in Guidelines No. 2.
- 5.3** Guidelines listed in the "General Requirements...", which supplement the regulations included in this document:
- **Guidelines no. 1** – „Safety Standards of PKN ORLEN S.A. Design guidelines for the construction of new and modernization of existing facilities at the Production Facility and Fuel Terminals of PKN ORLEN S.A.”
 - **Guidelines no. 2** – „Safety Standards of PKN ORLEN S.A. Occupational Health and Safety guidelines for Contractors from the Comprehensive Prevention System of PKN ORLEN S.A.”