



<b>Doc ID:</b> BRN_POL_Labour and Working Conditions	<b>Issue Date:</b> February 2014	<b>Revision Date:</b> November 2021	<b>Status</b> Active
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## Labour and Working Conditions

### I. PURPOSE

This policy provides a framework to assure that Brazilian Nickel (BRN) Group provides a safe working environment where its employees are treated fairly, with respect and can realize their potential in compliance with the highest human rights standards across the full range of our activities.

### II. SCOPE

This policy is endorsed by the BRN Board and Executive Management, and applies to:

- BRN and all areas of Group operations including all Local Operating Companies, and other projects and offices where BRN has a controlling influence.
- All employees of BRN or any of its subsidiary companies, including temporary staff and any personnel included in agreements with partners, suppliers, contractors, subcontractors, consultants and other third parties acting on behalf of BRN
- The framework for this policy is the International Bill of Rights<sup>1</sup> (consisting of the Universal Declaration of Human rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) and the International Labour Organization's Declaration on the Fundamental Principles and Rights at Work.

### III. POLICY STATEMENTS

The fair and respectful treatment of our employees and those who work with our partners, suppliers, contractors, subcontractors, consultants and other third parties acting on our behalf, is fundamental to the continued growth and success of the group.

Our performance with respect to employee rights will be such that the BRN should be considered in this area to be an employer of choice, and a responsible business.

BRN will comply with or exceed all applicable labour laws, regulations, and standards of the countries in which we operate, and shall comply with all other requirements and standards to which we subscribe including international standards and conventions on labour rights. Where these cover the same subjects we will comply with the more stringent requirements. Of particular relevance are the following:

- **Employment is Freely Chosen** –
  - BRN will not engage in or support the use of forced, bonded or involuntary labour. Employees shall be free to leave the Company after reasonable notice.
- **Freedom of Association and Collective Bargaining**
  - Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively. BRN adopts an open attitude towards the activities of trade unions and their organisational activities. Workers representatives will not be discriminated against and shall have access to carry out their representative functions in the workplace.

<sup>1</sup> <http://www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf>

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- **A Safe and Healthy Working Environment**
  - BRN will provide a safe and healthy working environment, and take adequate steps to prevent accidents and injury to health by, so far as reasonably practicable, minimizing causes of hazards and managing risks in the working environment.
- **No use of Child Labour**
  - BRN will not engage in or support the use of child labour as defined under International Labour Organisation (ILO) Convention 138. We will not expose young workers (16-18) to situations in or outside of the workplace that are hazardous, unsafe, or unhealthy.
- **Wages and Benefits**
  - BRN will ensure that wages paid for a standard working week shall meet at least legal minimum requirements. All overtime, for hourly paid (waged) workers, will be reimbursed at premium rates. Employees on fixed salaries are not necessarily eligible for overtime pay, but will receive salaries, which recognise that overtime may be worked. We will ensure that wage and benefits are clearly detailed in contracts and that wages and benefits are rendered in full compliance with all applicable laws.
- **Managed Working Hours**
  - BRN will comply with applicable laws and industry standards on working hours. In any event total hours (normal working hours and overtime) shall not exceed 60 hours per week on average. Personnel will be provided with at least one day off for every seven-day period on average. Personnel should not work more than 12 consecutive hours. Overtime work will be voluntary. The Health & Safety implications of working hour patterns will be assessed on an individual basis and managed accordingly.
- **No Discriminatory Practises**
  - There will be no discrimination in hiring, compensation, access to training, promotion, termination, or retirement, on any grounds including (but not limited to), race, caste, nationality, religion, disability, health status, gender, sexual orientation, union membership, political affiliation, or age.
- **Regular Employment**
  - Work performed will be on the basis of recognised employment relationship established through national law and practice. Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship will not be avoided through the use of labour-only contracting, sub- contracting, or similar arrangements, nor will any such obligations be avoided through the excessive use of fixed-term contracts of employment.
- **Disciplinary Practices**
  - BRN will not engage in or support, corporal punishment, mental or physical coercion or verbal abuse, or any form of sexual harassment. We will also ensure that deductions from wages are not made for disciplinary purposes

This Policy will never be compromised for the sake of operational convenience, productivity, costs, or profitability.

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#### **IV. POLICY REQUIREMENTS**

The following requirements shall be met:

- This Labour and Working Conditions Policy will be communicated, understood, and applied throughout BRN;
- The Board and Executive Management of BRN as well as other top and local management teams shall make a personal commitment to ensure the implementation of this policy and will foster good relations with the workforce to ensure that the rights of employees are upheld;
- A human resources management system will be implemented at each project which states the approach to managing employees and which clearly explains to employees their statutory rights. All locally developed Community and Social management systems and projects will comply with this BRN corporate policy;
- BRN will endeavour to have the right people with the right capabilities in the right jobs at the right time.
- The performance of our partners, contractors, and sub-contractors with respect to labour and working conditions will be managed to standards equivalent to our own. Labour and working conditions shall be considered when selecting contractors and suppliers;
- BRN will constructively engage with employees on matters of mutual concern and establish an effective and transparent employee grievance mechanism and a point of contact for grievances related to labour rights and working conditions. All such grievances and concerns will be recorded, communicated, and investigated to identify root causes and prevent a recurrence. All deficiencies will be corrected within an appropriate timeframe;
- We will regularly assess, monitor, audit and enforce our labour and working conditions policy and shall provide the technical and financial resources and capabilities necessary for its successful implementation and the resolution of any issues identified;
- We will report externally on our labour and working conditions policy performance and encourage dialogue with employees, their representatives, and other relevant stakeholders to promote awareness of employee rights.

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