

TToU 008 GENERAL TERMS AND CONDITIONS RELATING TO SAFETY FOR PURCHASING WORKS AND CONTRACTING

Changed issues are marked with red color.

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1 Definitions

In this document, "Outokumpu" means the legal entities of Outokumpu Stainless Oy, Outokumpu Chrome Oy and Outokumpu Shipping Oy.

The client means Outokumpu's organization, which obtains employee services outside the company either as a contract or as a invoicing work or acts as a constructor.

A service provider means an external company in direct contract with Outokumpu.

This document describes the safety requirements the contracting parties must meet. If required, the representative of a service provider must ask further clarifications of the unclear items.

This document should be delivered in connection with the invitation to the tender.

Items changes and added to the previous version of the document are marked in red.

2 Responsibilities and Obligations

2.1 Responsibilities and Obligations of the client

The client is responsible for its own personnel and its own workplace safety according to the legislation.



The client is also responsible for its own action's risk factors, their elimination and limitation, and of the instructions related to them.

The client defines the safety requirements of a work before making the contract, and they are supplemented during the work or contract period, if necessary. **Essential safety and environment instructions can be found here:** <https://www.outokumpu.com/en/locations/tornio-stainless-steel>

The client should name a contact person from its own organization, who is responsible for communicating with the service provider.

The client is obligated to provide the service provider adequate information about safety aspects and requirements related to a subscribed service, as well as the risks caused to other parties by the client's own activities.

The client is responsible for the correctness of the information related to workplace safety and is obliged to inform the service provider about changes in the working conditions and matters affecting the performance of the work.

The client is obliged to provide safety training to the personnel of the service provider company (Tornio mill area Safety and environmental training, Kemi mine Safety and environmental training, port safety training).

The client is responsible for organizing the safety co-operation during ordering the work, planning the work and performing the work.

When the work is bound by construction work safety legislation, a safety document in compliance with the regulations must be created during the design phase. The constructor is responsible for preparing a safety document, which will serve as the basis for the safety plan created by the main project implementer. It is supplemented with the service providers' safety plans during the implementation phase.

2.2 Responsibilities and Obligations of the service provider

The personnel of the service provider and subcontractors must follow current laws and other regulations based on them concerning safety and environmental protection.

The service provider is obliged to assess the risks of his work (the employer's statutory obligation). The service provider must be prepared for that, for example in project / contract work and long-term annual contracts, risk assessments are handled in a workshop in cooperation with the client's representatives. The service provider needs a representative at least for the project / work management, preferably also the person performing the work. The duration of the event is 2-6 hours depending on the situation. In addition, possible representatives of subcontractors are needed.

The service provider is obligated to deliver a Safe system of work / Method statement / Safety plan to the client. This is a description of the methods to ensure the safety of the work on client's premises. The plan shall be reviewed in the co-operation with the client.

The service provider is responsible for the safety of its personnel and operation safety according to the legislation.

The service provider is responsible of registering its employees to public register of Tax Numbers.



Obligations of the service provider representative:

- To deliver to the client the documents required by the *Act on the Contractors Obligations and Liability when Work is Contracted Out* and other possible information required by the Finnish laws (for example regarding the foreign workforce) in a separately instructed way.
- To deliver the filled Service supplier self-assessment form according the instructions.
- To get the approval for the subcontractors from the client. Also, the subcontractors starting during the contract period must be separately approved by the client.
- To be responsible for that the persons to whom the access pass is requested for, are suitable to work in Tornio site area, Kemi mine and Röyttä harbour.
- Is responsible for ensuring that personnel and subcontractor personnel performs area safety training and, if necessary, signs them to the safety training separately.
- To be responsible for that all the competencies (such as a Hot Work Card, Occupational Safety Card, area safety training...) of the company's personnel are valid for the whole time the personnel works on Outokumpu premises.
- To apply the access passes on behalf of the company's employees at least three (3) days prior the employee arrives the site area. The service supplier is responsible for its subcontractors to follow the access pass applying instructions of the client.

Applicant of the access pass:

- Gives a permission to register his / her personal information data and ensures the data on access pass application is authentic. What is mentioned before is confirmed by signing the access pass application.
- Completes the area safety training before receiving the access pass.
- Proves his / her identity on Tornio site main gate / Info Kemi mine.
- Proves the validity of the Occupational Safety Card / Hot Work Card.

Subcontractors

A service provider may only use such subcontractors in its work which are accepted by the client. The subcontractors must meet the same requirements as the service provider. **Upon request, the service provider must demonstrate to the client that the subcontractors meet the customer's requirements, for example with regard to safety (the requirements corresponding to the service supplier's self-assessment form are met, see section 3.1).**

The service provider is responsible for familiarizing their sub-contractors with Outokumpu's access control practices **and safety instructions.**

The service provider is responsible for the skills and safety requirements being met by the subcontractors. Subcontractors must commit themselves to follow the procedures described in this document.

The service provider is responsible for the professional skills and training, as well as for the familiarization with the legislation and the correct and safe work methods, arrangements in the work place, hazards and how to protect against them, concerning both its own personnel and the personnel of the subcontractors it is using.

Familiarization organized by the client

The service provider is responsible for their personnel performing the safety and environmental training given by Outokumpu (applies to the training by Tornio mills, Kemi mine and the port) before their arrival at the Outokumpu workplace.



The service provider is not entitled to charge the client separately for participating in the safety and environmental training (applies to the training by Tornio mills, the Kemi mine and the port). The potential costs of these must be included in the acquisition price or hourly rate.

A representative of the service provider or, if agreed so, its personnel must participate in the training events and meetings related to workplace safety that are organized in the work area and directed to them. The service provider must inform its own employees working in the area about these safety matters presented in these events.

The service provider is required to participate in the assessments required by the client in the workplace.

General safety instructions

When moving and working on the Outokumpu site, the service provider must follow Outokumpu's general instructions for safety (the most essential instructions are to be found from Outokumpu website: <https://www.outokumpu.com/en/locations/tornio-stainless-steel>). The client may, per case basis, give more detailed safety instructions, which must be followed.

Personal protective equipment

The service provider is responsible for purchasing the personal protective equipment for its personnel as required for the work.

The employees of a service provider must always be prepared to use the personal protective equipment listed below. The work and department specific need for personal protective equipment is determined separately by the client of the work, **such as respirators**.

- Industrial helmet (EN 397)
- Hearing protection (EN 352)
 - Hearing protection must be used when noise level exceeds the level 80 dB(A) or it's instructed to be kept on area / space. Hearing protection that includes a possibility to listen a radio are not allowed.
- Safety glasses (EN 166 class F or B) (helmet-integrated model not allowed, excluding Kemi mine)
- Safety shoes (with nail protection, EN 20345)
- Protective clothing required by the work
 - Top layer of the protective clothing (summer/winter model), jacket and trousers, must protect the person from short period of flame contact, heat radiation and molten metal spillage.
 - Top layer of the protective clothing must meet the demands of the standard EN ISO 11612 A1, B1, C1, E2 / E3, F1. There must be a company name or logo to be seen on the backside of the jacket.
 - The high visibility ('hivis') vest (or hivis protective clothing) must meet the demands of the EN471:271:2004 +A:1:2007 standard, class 2/2).
 - Person's name and employer must be clearly seen from the protective clothing.
- Safety vests (or protective clothing equipped with safety colors)
- Protective gloves (e.g cut resistant gloves EN ISO 13997 / chemical resistant gloves)
- **Personal safety lock with personal key (Color black, 75 mm gap, handle thickness 4-6 mm and unique (company name and sequential numbering))**

Accidents, dangerous events and other damages



All injuries, hazards and near misses, as well as fires, environmental accidents and material damage happening to the service provider in the client's area must be reported immediately to the client in accordance with instructions given by the client.

It is recommended that the service provider applies the procedure for restrictive work.

The service provider is responsible for statutory declarations to the police and health and safety authorities, as well as accident reports to its own insurance company.

2.2.1 Supervision and monitoring

The service provider company is responsible for managing the work it is given and supervising its employees on the work site, unless otherwise agreed in written form.

Instructions about performing the work given by Outokumpu to the employees of the service provider do not mean that the responsibility of work supervision is transferred or removed.

When specifically agreed, the employees of a service provider may work under the supervision of Outokumpu management, in which case occupational safety is the responsibility of the Outokumpu representatives.

2.2.2 Responsibilities and obligations of the employee

The employee must complete the work professionally following the given guidelines and regulations.

An employee may not change, on their own initiative, an approved plan of work or an accepted work permit. The changes in the content of the work may only be accepted by a person acting as a representative of the client.

The employee's responsibility is to report any changes related to the work to the acting supervisors prior to the start of work or as soon as a change is detected. This includes changes in the work plan, the work or method of work, detecting a hazard, inadequacy or failure of a protection or other safety measure, and / or changes in the end result of the work compared to the planned result.

Before starting the work, a hazard identification and/or risk assessment related to the work, the work site and/or the area must be made according to the requirements of the client. The employee who is performing the work must participate in the assessment of the work.

Each employee should have the opportunity and the necessary means to call for help and warn of the danger according to the instructions given by the client. In particular, the performance of the communication network must be ensured when working alone.

Anyone who discovers or learns that a fire or some other accident has occurred or finds such a threat and cannot immediately turn off the flame or combat the risk, is obliged to immediately report it to those at risk, to make the emergency call according to the client's instructions and to take emergency measures according to their ability.



3 Safety requirements for service providers and the personnel of the service provider

3.1 Safety requirements for service providers

Accepted service provider

The service provider must fill the Service supplier self-assessment form **and get approval for it.**

Pre-audit

Before signing the contract, the client may carry out a pre-audit on some worksite of the service supplier in order to find out the provider's level of the safety management **and to audit the service provider against the Service supplier's self-assessment form or by other audit procedure used by the client.**

HSEQ evaluation

For contractual relations with duration of more than one year, the service provider may be required to be evaluated with the HSEQ method and the evaluation should be in force. If this is not the case at the beginning of the contractual relationship, the service supplier may be required to participate in the evaluation during the contractual relationship.

TAVAmi

For contractual relations lasting more than one year the service provider may be required to introduce, at the beginning of the contractual relationship, the TAVAmi system for reporting hazards, near misses and incidents occurring in the Outokumpu area. The client informs the service provider who is the contact person from Outokumpu's side.

General order and cleanliness

The service provider is required to agree on the waste treatment and storage with the client.

Each supplier and working group must every day keep their working environment clean and in good order. The work also includes cleaning the workplace at the immediate end of work, as well as sorting and disposing the waste and surplus materials from the workplace according to the law or transferring the waste to the place instructed by the client.

If the service provider does not take care of these obligations, the client may order the area to be cleaned at the expense of the supplier without a separate agreement.

Fire safety

A service provider must ensure that its operation does not cause fire hazard or risk or any other damage.

The service provider shall acquire and provide adequate fire extinguishing equipment and hot work guarding, unless otherwise specifically agreed in written form.

Performing hot work at temporary hot work sites always requires a written permit for the hot work.

Outokumpu manual for hot work created by the client must be followed when performing hot work.



Hazardous chemicals, sources of radiation

The service provider must agree with the client in written form about the use and storage of hazardous chemicals and radiation sources in the work site.

When using X-ray devices or other similar devices, the service provider will close the danger zone with clearly visible markings or arrange the guarding of the danger area at its own expense, unless otherwise specifically agreed in writing. Only the imaging personnel may move in the danger zone.

IT-security

The service provider must comply with the supplemental instructions of the Outokumpu Security Policy: IT Instruction Contractors while working in connection with the networks, systems and equipment of the Outokumpu plant area. The client may, per case basis, give more detailed safety instructions which must be followed.

The documentation related to the work is property of the client, unless specifically agreed otherwise. Service providers and other persons moving on-site must not provide third parties with any information related to the production process, economics or other kinds of confidential information.

Destruction of documents containing confidential information must be carried out in a reliable manner, for example, not to the landfill.

Photographing and video recording on the premises of the client is only allowed by the permission given by the client (communications department).

Inspections carried out by security personnel

Persons moving at the Outokumpu site agree that the security personnel or other persons named by the client are allowed to inspect their vehicles and belongings.

Commissioning and on-site inspections

Prior to the initial activation of machinery or equipment they must undergo a documented inspection.

During the construction site inspections, the condition of the lifting equipment, scaffolding, working platforms, machinery and the storage area is ensured. The realization of the construction site plans is monitored, along with order and cleanliness.

3.2 Safety requirements for the personnel of the service provider

The safety requirements mentioned below apply to both domestic and foreign workers.

- Access pass applications for all persons entering the site must be made at least 3 working days before their arrival.
- All persons must have passed valid safety training organized by the client: In Tornio the Tornio mills safety and environmental training (valid for 3 years or one year*), at the Kemi mine the Kemi mine safety and environmental training (valid for 2 years or one year) and at the port the port safety training (valid for 3 years). The training will be held in English by a separate agreement. If necessary, the service provider must arrange an interpreter for the training at its own expense.

- The service provider is obliged to return the access pass when a person's access pass or employment relationship is terminated.
- All employees must be of legal age.
- Occupational safety card is required from all persons who are performing or monitoring installation, maintenance or construction work or who are working at shared site or shared construction site. **Regarding Finnish cards, only The Centre for Occupational Safety's occupational safety card, the so-called "green card" is accepted.** Corresponding foreign cards must be accepted by the Outokumpu Head of occupational safety. Occupational safety card is not required for a foreign specialist (such as a representative of a device manufacturer).
- All persons should have a visible ID card with a photograph that shows the name of the person and the person's tax number, and the employer's (wage payer's) name and VAT number. As a rule, the tax number is only required for foreign persons if the person will be working at the construction site. However, the client also reserves the right to require a tax number in other works defined by him. The service provider is responsible of registering its employees to public register of Tax Numbers.
- For each team or group, there should be at least one person for each 10 persons with valid first aid training.
- A hot work license or hot work on roof license must have by all persons performing and supervising those tasks. All persons participating in hot work done on roofs (such as welders, fitters and hot work guards) must have a valid hot work on roof license.
- Work vehicle users must have the required driving license, permit and training. More specific driver's license demands are described in the instruction *TO 500 Vehicular traffic in site area*.
- The law of posted workers applies to foreign employees:
 - If the employer of a posted worker (the company posting the worker) does not have a business location in Finland, it shall have a representative in Finland who is authorized to act for the company posting the worker in a court of law and receive on behalf of this company writs of summons and other documents issued by the authorities. The representative shall be selected no later than the date when the posted worker starts working, and the authorization shall be valid for a minimum of 12 months after the date at which the posted worker ceases working in Finland. The client must ensure that the posting company selects the representative referred here.
 - A representative need not be selected in case the posting of the worker is no more than 14 days in duration. If several consecutive employment contracts concerning the posting have been concluded between the posted worker and his/her employer without interruption or only with short-term interruptions, the posting shall be regarded as having been continuous.
 - The OSH Division at the Regional State Administrative Agency of Southern Finland supervises and gives advice and instructions related to the Posted Workers Act.

4 Acting against instructions

Acting against the instructions is processed in accordance with applicable sanctions practice. **There are Safety sanction and the Safety Improvement Agreement, which the buyer encloses with the request for quotations and the orders and contracts to be drawn up. The responsibility for the action of the safety sanction lies with the Occupational health and safety manager (creating the claim); in the case of Safety Improvement Agreement, the responsibility for the action lies with the Procurement. In situations where both sanctioning practices are involved, the Safety Improvement Agreement applies.**

If the same service provider shows a repetitive occurrence of negligence or the neglect is particularly serious, the contract may be terminated, and the service provider may be subject to the prohibition of the activities at the site for a fixed period.

5 Post and mid-term evaluations

A supplier under contract is evaluated on a frequency and manner suitable to the particular case. The evaluation can be made by the client for example when the contract / project is finished. The evaluation may also be undertaken after individual duties (e.g. annual maintenance).

The objective of the evaluation is to improve cooperation and increase the safety level of the service provider.

The service supplier also has the opportunity to submit its views on the manner in which cooperation and safety can be improved.

In addition to developing cooperation, the evaluation is also used in the tender stage.

Previous evaluations may influence the choice of service provider.

*The one (1) year validity applies the safety trainings performed via Internet.