GENERAL OHS REQUIREMENTS ON CONSTRUCTION SITES

KOBNEXT
KOMPLEKSOWA OBSŁUGA BUDOWNICTWA

APPLICABLE TO ALL SUBCONTRACTORS, THEIR EMPLOYEES, AND INDIVIDUALS EMPLOYED UNDER CIVIL LAW CONTRACTS

Definitions:
OHS Coordinator - A person coordinating and supervising OHS on behalf of KOBNEXT.
Person Managing Employees of the Subcontractor - A person appointed by the Subcontractor as the employer, i.e., site manager or foreman - responsible for supervising and coordinating work on behalf of the employer, hereinafter referred to as **the PME of the Subcontractor.**
Employee - All individuals employed by the Subcontractor under employment or other civil law contracts, hereinafter referred to as Subcontractor's Employees.

1. All employees of subcontractors performing work for Kompleksowa Obsługa Budownictwa KOBNEXT Sp. z o.o. (hereinafter referred to as KOBNEXT), as well as suppliers of goods, materials, and services, are subject to the same health and safety requirements as KOBNEXT's employees.

- The Contractor organizes and performs its tasks while ensuring safe and hygienic working conditions.
- All subcontractors' employees **are required to strictly follow all occupational health and safety (OHS) regulations and rules**, as set out in the Labor Code, relevant regulations, and this annex, which forms an integral part of the Subcontract Agreement and the Employers' Agreement on the appointment of an OHS Coordinator.
- During the performance of work or services for **KOBNEXT**, all Subcontractor's employees must carry valid documentation, including:
  - contracts (that is employment contracts or civil law agreements, if permitted by the main contract) acknowledging their hiring by the Subcontractor to perform work for **KOBNEXT**;
  - risk assessments for each position they will occupy;
  - valid medical certificates confirming no contraindications for work;
  - valid OHS training certificates (initial and/or periodic training with workplace instruction).

Additionally, the PME of the Subcontractor is obliged to:

- provide and familiarize employees with the Safe Work Method Statement (IBWR) for all activities within their scope and to familiarize with it all subordinated employees;
- provide documents confirming the insurance of employees under civil law contracts;
- submit declarations confirming possession of necessary documentation for presentation upon request by **KOBNEXT** authorities or inspection bodies.

2. The Subcontractor's employer or the PME of the Subcontractor is legally responsible for the safety of its employees at the KOBNEXT construction site.
Before beginning work, The Subcontractor must appoint the PME of the Subcontractor who is responsible for supervising all their employees performing work for KOBNEXT and coordinating tasks in compliance with legal qualifications, knowledge, and skills requires for safe work execution. A deputy with equal qualifications must be designated during the PMSE absence. If necessary, appoint a deputy for the period of absence - this person must also have the required qualifications and authorizations. The fact of replacing employees must be reported in writing to the KOBNEXT Construction Manager and the Occupational Health and Safety Coordinator.
2.1. The PME of the Subcontractor will be trained by the OHS Coordinator in the following scope:

- the construction site Health and Safety Plan (BIOZ);

- potential health and life hazards on-site;
- emergency procedures in case of any accident and other situations threatening the health and life of employees, as well as protective and preventive measures to eliminate or reduce risks;
- site traffic rules and accident response procedures

2.2. The PME of the Subcontractor, based on the information obtained above, shall prepare for its subordinate employees the Safe Work Method Statement (IBWR) covering all work within their scope, update the occupational risk assessment for a given task where necessary, prepare a training program, and conduct job-specific (on-the-job) training for its employees prior to commencement of work.
The job-specific OHS training shall include, at a minimum:

- the Construction Health and Safety Plan (BIOZ) and the Safe Work Method Statement (IBWR) for the subcontractor's works;
- the occupational risk assessment and the required collective and personal protective measures;
- hazards to health and life present on the construction site;
- procedures to be followed in the event of failures/emergencies and other situations posing a threat to employees' health and life, as well as protective and preventive actions aimed at eliminating or reducing hazards;
- information regarding movement around the construction site, the fire protection system and first aid, and procedures to be followed in the event of an accident.

Copies of records from the job-specific OHS training of employees shall be presented upon request to the OHS Inspector, the National Labour Inspectorate (*[pl]* PIP) or the State Sanitary Inspectorate (*[pl.]* PIS) during an inspection, or to the OHS Coordinator or the Construction Manager of **KOBNEXT**.

3. All persons present on the KOBNEXT construction site are obliged to wear work clothing, work footwear, and personal protective equipment (PPE).
The work clothing used shall include a shirt or jacket with long sleeves and trousers with long legs.
Personal Protective Equipment (in accordance with Polish Standards – PN)
In particular, in every case and at all times at the construction site, the use of the following is mandatory:

- protective footwear with a puncture-resistant sole;
- a protective helmet with a chin strap: yellow for workers, white for supervisory staff;
- high-visibility vests covering at least the upper part of the body, in the following colours:
    - bright yellow with the company name – applicable to all employees,
    - bright orange with the company name – mandatory only for employees performing the role of slinger/signaller;
- for all manual work where there is a risk of injury to the hands or eyes, the use of protective gloves is mandatory, and eye protection shall be provided in the form of safety glasses;
- during handling, unloading, or pouring of bulk materials (cement, ash, etc.), the use of protective goggles and a protective mask to safeguard the respiratory tract is mandatory;
- where necessary, other collective or personal protective measures appropriate to the specific hazard shall be used, depending on the identified risks.

4. All equipment, machinery, and auxiliary equipment, such as scaffolding, ladders, tools, and other materials used, must have the required certificates/approvals or declarations of conformity and must comply with the requirements of applicable regulations and safety standards (noise, dust, vibrations, etc.).
The Subcontractor shall:

- assign to the operation of machinery and equipment only persons who hold the required qualifications and authorizations resulting from the applicable regulations;
- use exclusively serviceable machinery, equipment, and tools that have valid documentation in the Polish language confirming compliance with occupational health and safety (OHS) requirements.

- all scaffolding used must be:
  - approved for use by an authorised person;
  - selected appropriately for the planned work;
  - assembled in accordance with the Operation and Maintenance Manual (DTR);
  - assembled in accordance with requirements (acceptance of the scaffolding by an authorized person, confirmed by an entry in the construction log and / or in the Scaffolding Acceptance Protocol);
  - complete;
  - equipped with the required barriers, including curb boards, working platforms, etc.;
- all scaffolding used must be marked with signs containing the following information:
  - company name (scaffolding user);
  - information on the permissible load of the platforms and scaffolding structure;
- immediately remove unused machinery, scaffolding, and equipment from the construction site;
- Unused internal or external scaffolding should be marked with information signs reading "scaffolding under construction" or "scaffolding out of service," and access to the unused scaffolding or its floors should be blocked off. The entrance should be marked with red and white tape or other effective fencing (meaning no entry) or with a "no entry" sign;
- Danger zones should be fenced off in areas where objects are at risk of falling from height;
- The operating range of cranes and construction machinery should be marked accordingly;
- Portable fire extinguishing equipment should be provided if work is hazardous.

5. If a potential accident or workplace accident is identified, or a fire hazard occurs:

- The Subcontractor is obligated to immediately notify the Construction Manager or Occupational Health and Safety Coordinator;
- In the event of an occupational accident, the accident site must be immediately secured, first aid must be provided to the injured, and the Construction Manager or Occupational Health and Safety Coordinator must be notified;
- In the event of a fatal, serious, or collective accident, the National Labor Inspectorate (PIP) and the Prosecutor must be notified;
- After preparing the accident report, upon **KOBNEXT**'s request, a copy must be made available to **KOBNEXT** services.

6. The Subcontractor is obliged to:

- provide social facilities for its employees, as well as sanitary and hygiene equipment and cleaning supplies, in accordance with applicable regulations, and maintain these facilities in good condition;
- ensure proper order and cleanliness at workstations and in their surroundings, as well as the safe condition of equipment and devices;
- implement post-inspection recommendations in a timely manner with respect to the National Labour Inspectorate (PIP), the State Sanitary Inspectorate (PIS), occupational health and safety (OHS), and fire safety (PPOŻ.);
- enforce compliance by its employees with occupational health and safety regulations and rules, including those contained in the Health and Safety Plan (BIOZ), OHS instructions, Safe Work Method Statement (IBWR), fire safety regulations, and first aid procedures;
- ensure, during the performance of work, the continuous presence of designated persons responsible for providing first aid, firefighting, and evacuation;
- store construction materials, construction equipment, and waste in accordance with the Health and Safety Plan (BIOZ) and other relevant instructions.

7. The Subcontractor is obliged to apply OHS rules included in the agreement and its attachments to their further subcontractors.

8. According to article 208, paragraph 3 of the labour Code, **the Subcontractor** provide their subcontractors with information outlined in the article 207 of the Labor Code.

9. OHS documentation

9.1. Subcontractor documentation covers their employees and other persons employed by them to perform the task, as well as the machinery, equipment, and electrical tools used, and a description of the tasks to be performed. Machinery, equipment, and other equipment required to perform work must meet safety regulations and standards.

9.2. **The Subcontractor** is obliged to employ only people who are prepared to perform work, having valid medical examinations confirming that there are no contraindications to perform work in a given position, having appropriate skills and occupational health and safety training, and professional qualifications required by law, confirmed by valid documents.

Before signing the agreement, on demand, shall present the following (copies) to KOBNEXT:

- valid medical examination confirming no contradictions to perform work;
- current on-the-job training in occupational health and safety and fire protection, and initial or periodic occupational health and safety training;
- documentation of the occupational risk assessment and IBWR for the task, with signature confirmation that employees are familiar with the hazards present in the given job position;
- documented confirmation of qualifications required to perform work (operating equipment or driving machinery or vehicles);
- a list of persons designated to replace employee supervisors, first aid providers, fire fighters, and evacuation personnel;
- a list of names of subcontractor employees assigned to perform the contract;
- authorizations of the construction manager and other supervisors, along with the paid liability insurance due to the Chamber.

At the construction site:

The following documents (copies) the Subcontractor should be stored by the Subcontractor at the construction site and be presented on demand to KOBNEXT, the Investor or their representatives at site or to controlling authorities.

- on-the-job training in occupational health and safety or IBWR for their own employees' tasks;
- a list of names of subcontractor employees and a confirmation of reporting them to the social security according to applicable law;
- list of machines and devices used by the Subcontractor to perform tasks.

Moreover, on demand of the authorities or the Site Manager or Occupational Health and Safety Coordinator:

- current test reports for power tools and electrical equipment, and electrical measurement results for machines, equipment, power tools, and subcontractor's premises, such as offices, sanitary facilities, and warehouses;
- approvals, occupational health and safety certificates, declarations of conformity, and documentation for equipment subject to technical inspection, including inspection books, work permits, and maintenance logs;
- technical and commissioning documentation: operating manuals for machinery and equipment .

9.3. Before starting work, the Subcontractor is introduced to the construction site with a protocol and submits declarations regarding the application of occupational health and safety regulations, which is a condition for the implementation of the Subcontracting Agreement.

10. The Occupational Health and Safety checks, the presence at the construction site and procedures

in case of work accidents

10.1. The Subcontractor is obliged to continuous and current inspection of complying with the Occupational Health and Safety regulations and rules by their employees.

10.2. The Subcontractor shall allow at any time their representatives to attend the Construction meeting, inspections and the Occupational Health and Safety checks organised by **KOBNEXT**.

10.3. The Subcontractor is obliged to report any site accidents to the Construction Manager or the OHS Coordinator as well as to determine circumstances and causes of the accidents and on demand of **KOBNEXT** to share documents.

10. 4. The Subcontractor is obliged to immediate reporting to the Site Manager any work accidents, near-accidents and other health and life threats or any other dangerous occurrences like f.e. construction disasters, fire, serious machinery and equipment failures.

11. The Suppliers

11.1. Entering the Construction site by all subcontractors' and suppliers' employees is carried out on the basis of obtaining permission from the Site Manager or other person managing employees appointed by the Site Manager.

The Site manager would equip all guests and visitors with personal safety measures (high-visibility vests, helmets) intended to be used at the construction site.

11.2. Materials supplied to the Construction site should be loaded and unloaded in a way not posing a threat to employees' health and life, should have safety data sheets for hazardous materials. Persons responsible for their delivery should know the rules of their transport and storage.

11.3. The storage of materials takes place in areas designed for it in BIOZ plan.

12. Purchasing hazardous materials, substances, and preparations – environmental protection

Please note the following:

- purchased materials should have appropriate certificates / decisions / declarations authorizing the sale, use and operation of products, confirming their compliance with established legal and normative requirements for environmental protection;
- hazardous substances and preparations – should be stored according to the instructions attached to them and should be kept in their original containers.

13. Consequences and penalties for violating occupational health and safety regulations

13.1. KOBNEXT has the right towards the Subcontractor:

- if a threat to the health and life of employees is detected, to suspend Subcontractor's work, in such cases **KOBNEXT** will not be liable for the Subcontractor's losses or costs;
- to demand immediate expulsion from the construction site and permanent replacement of an employee of the Subcontractor who commits serious or repeated violations of occupational health and safety or fire protection;
- to stop work on a faulty or damaged machine or device (e.g. ladder, scaffolding);
- to stop work on incomplete scaffolding (no railings, not grounded, not accepted);
- to suspend the work of an employee if his/her workplace does not comply with the occupational health and safety rules and regulations;
- to suspend the employee's work if he or she is indisposed (including due to intoxication) or if his or her clothing is incomplete or does not comply with occupational health and safety regulations;
- to suspend the employee's work or expel him from the construction site if it is found that his admission to work was contrary to the contract or agreement on occupational health and safety;
- to remove occupational health and safety hazards affecting the subcontractor at his expense and risk.

13.2. The subcontractor is obliged to remedy any health and safety deficiencies identified during the

health and safety inspection and included in the Post-Inspection Protocol.

13.3. In the event of failure to comply with the obligation in the above scope, regardless of the penalties imposed by the relevant authorities or the cases indicated in point 1, **KOBNEXT** may charge the Subcontractor a contractual penalty of PLN 2,000 for each detected case of violation.

13.4. The subcontractor will pay KOBNEXT contractual penalties for failure to comply with occupational health and safety and fire protection rules and regulations:

- for lack of equipment, protective measures required by occupational health and safety regulations, provisions of the contract and its annexes - PLN 500 / for each detected case;
- for lack of order and tidiness – PLN 500 / for each detected case;
- for lack of the IBWR or other health and safety instructions – PLN 500 / for each detected case ;
- for employee being intoxicated or under the drugs' influence – PLN 1,000 / for each detected case and permanent removal of the employee from work;
- for allowing a person without appropriate qualifications confirmed by valid documents to perform work requiring such qualifications - PLN 1,000 / for each identified case;
- for allowing work to be performed using tools, devices, equipment and appliances that do not have the required approvals - PLN 1,000 / for each detected case;
- for lack of the supervising person - PLN 1,000 / for each identified case;
- for lack of documentation confirming employee training - PLN 500/person, for each identified case per day;
- for lack of employee training - PLN 1,000 / per person, for each identified case per day;
- for failure to notify an employee of a Subcontractor actually performing work on the construction site or failure to comply with the obligation to familiarize the employee with the Health and Safety Plan (BIOZ) and hazards on the construction site - PLN 1,000.

13.5. **KOBNEXT** has the right to claim damages exceeding the amount of the contractual penalty if the amount of the contractual penalty does not fully cover the damage suffered.

13.6. The Subcontractor is obligated to reimburse any fines imposed by occupational health and safety and fire protection inspection bodies or the Investor on employees, by **KOBNEXT** management for violations of occupational health and safety and fire protection regulations concerning the Subcontractor or KOBNEXT will deduct them from the remuneration due to the Subcontractor.

13.7. Regardless of the above penalties and penalties specified in the contract, in the event of damage, the Subcontractor is obliged to compensate for the damage in full in accordance with general principles.

Legal basis:

The Regulation of the Minister of Infrastructure of 6 February 2003 on occupational health and safety during construction work (Journal of Laws No. 47, item 401) requires construction participants to cooperate with each other regarding occupational health and safety during the preparation and execution of construction, and the use of necessary personal protective equipment (PPE) applies to all persons on the construction site. The work area should be designated and marked, and in particularly hazardous areas, signs should be placed informing about the type of hazard and measures taken to protect against the effects of hazards, such as protective barriers, nets, etc. Direct supervision of occupational health and safety at the workstations should be exercised by the construction manager and construction foreman, as appropriate, according to their respective responsibilities. Furthermore, if employees of different employers (contractors, subcontractors, etc.) are working simultaneously in the same location, these employers are obligated to inform each other and the employees or their representatives about measures taken to prevent occupational hazards occurring during their work.

COOPERATION AGREEMENT BETWEEN EMPLOYERS WHOSE EMPLOYEES PERFORM WORK AT Kompleksowa Obsługa Budownictwa KOBNEXT Sp. z o.o.

concerning ensuring safe and healthy working conditions and appointing an Occupational Health and Safety Coordinator

Based on the provisions of Article 208 of the Labor Code, a cooperation agreement is concluded between the following **Employers**:

§ 1

Employers agree that their employees perform work at the same time in the same place, i.e. on the construction site carried out by KOBNEXT, hereinafter referred to as the workplace.

§ 2

Employers undertake to cooperate with each other to the extent and in order to ensure safe and healthy work for employees working in the same place.

§ 3

Employers designate the construction manager as the agreement coordinator, who will supervise, either personally or through an occupational health and safety specialist, compliance with occupational health and safety regulations and rules by all employees at the workplace.

§ 4

The coordinator (construction manager) or occupational health and safety specialist has the right to:

- Supervision of all employees in the workplace.
- Monitoring compliance with staffing levels and any other conditions resulting from familiarization with the BIOZ plan and construction site hazards.
- Issuing instructions regarding the improvement of working conditions and compliance with occupational health and safety and fire protection regulations and principles.
- Participating in occupational health and safety inspections.
- Recommending individual employers to eliminate identified accident hazards and health and safety deficiencies.
- Immediate suspension of the operation of a machine or device in the event of a direct threat to the life or health of an employee or other person.
- Immediate removal from work of any employee engaged in prohibited work. Immediate removal from work of any employee who, through their behaviour or the manner in which they perform their work, poses a direct threat to their own life or health or the life or health of others.
- Other rights arising from the subcontract or its annexes.

§ 5

The employers hereby establish the following rules of cooperation and procedures, including those to be applied in cases of risks to employees' health or life:

1. Before establishing cooperation, and periodically, as agreed by the parties, meetings of

authorized representatives of the above-mentioned workplaces will be organized to discuss issues related to accident risks and occupational safety.

2. The basis for being granted access to work on the construction site is:
   a) Possession of valid occupational medical examinations.
   b) Prior completion of the required occupational health and safety (OHS) training by employees.
   c) Provision of employees with personal protective equipment, as well as work clothing and footwear.
   d) Familiarization with the Health and Safety Plan (BIOZ), as well as OHS and fire safety instructions applicable on the aforementioned construction site.
   e) Informing employees about the scope of existing accident hazards.
   f) Possession of appropriate professional qualifications to perform specific types of work.
3. **The Subcontractor** shall assign to work on the construction site only those employees who meet the requirements specified in point 2 (a–f). Each time prior to assigning an employee, the cooperating company shall provide the Coordinator (Construction Manager) or the OHS Specialist with written confirmation that the employees meet the formal requirements in the field of occupational health and safety as well as the professional qualifications necessary to perform the assigned work.
4. **The Subcontractor** undertakes to:
   a) Ensure that supervisors conduct on-the-job training (task-specific instruction) and provide information on the scope of existing accident hazards.
   b) Organise workspaces and workstations in a manner ensuring safe and healthy working conditions as well as fire protection.
   c) Ensure that employees are familiarized with the fire safety instructions and evacuation procedures.
   d) Provide employees with access to available sanitary and hygienic facilities and personal hygiene products.
   d) Provide first aid in the event of an accident.
5. In the event of an occupational accident involving an employee, the circumstances and causes of the accident shall be determined by an accident investigation team appointed by the employer of the injured employee.
6. Employees at the workplace are obliged to comply with the applicable occupational health and safety regulations and rules.

§ 6

1. Any amendments or supplements to this Agreement may be set out in an annexe to this Agreement and signed by representatives of both Parties.
2. This Agreement has been drawn up in two identical counterparts, one for each Party.