

WESCOAL

OUR PHILOSOPHY

Wescoal believes that our employees should be treated with respect and dignity and work in an environment that is free from harassment and unlawful discrimination. We are guided by principles such as those in the ILO Declaration.

Wescoal Holdings (Including its operating subsidiaries, Wescoal Mining and Wescoal Trading) believes that being a responsible employer means being socially and morally responsible to our stakeholders which also include the Constitution of the Republic of South Africa and international conventions to which the Republic is bound and in so far as they apply to us and we can advance their objectives.

Wescoal supports the protection and elevation of human rights and is guided by fundamental principles of human rights, such as those in the United Nations Universal Declaration of Human Rights and the South African Constitution. Our support for these fundamental principles is reflected in our policies and corporate social responsibility strategic actions towards our employees, suppliers, clients, communities where we do business.

OUR EMPLOYEES AND HUMAN RIGHTS

Freedom to Contract

There is no forced, bonded or involuntary prison labour on any Wescoal sites.

Employees are not required to lodge “deposits” or their identity papers with Wescoal and are free to terminate their employment after reasonable notice.

Wescoal employees have access to an Ethics Hotline (Whistle-blowers), through which concerns, questions and grievances can be raised and resolved effectively. Employees are strongly encouraged to raise ethics, discrimination or harassment matters, and to report

suspected violations of applicable laws, regulations and policies. Retaliation for raising these concerns in good faith is prohibited.

COLLECTIVE BARGAINING AND UNIONISATION

Freedom of association and the right to collective bargaining are respected.

Wescoal's commitment to respect human rights in the workplace is manifested in our Code of Conduct and human resources policies and practices. These policies state, among other things, that we value and promote workforce diversity and do not tolerate unlawful discrimination or harassment. We maintain an ethical work environment that reflects the core values of our company, and we provide a safe and secure workplace. We also communicate Wescoal's position on human rights to our employees, and our employees are expected to uphold these standards.

Employees, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively under the representation of duly recognised trade unions.

Wescoal adopts an open attitude towards the activities of trade unions and their organisational activities in line with recognition agreements and legislation.

Employee representatives are not discriminated against and have access to carry out their representative functions in the workplace.

Where the right to freedom of association and collective bargaining is restricted under law, Wescoal facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining in line with formal recognition agreements and the law.

All disciplinary measures should be recorded.

WORKING CONDITIONS ARE SAFE AND HYGIENIC

A safe and hygienic working environment shall be provided, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.

Wescoal employees shall receive regular and recorded health and safety training, and such training shall be repeated for new or re-assigned employees.

Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.

Wescoal shall assign responsibility for health and safety to a senior management representative.

CHILD LABOUR SHALL NOT BE USED

There shall be no new recruitment of child labour.

Children and young persons under the age of 18 shall not be employed at night or in hazardous conditions on any Wescoal sites.

FAIR REMUNERATION IS PAID

Remuneration and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher. In any event remuneration should always be enough to meet basic needs and to provide some discretionary income.

All employees shall be provided with written and understandable Information about their employment conditions in respect to remuneration before they enter employment and about

the particulars of their remuneration for the payment period concerned each time that they are paid (i.e. a payslip).

Deductions from remuneration as a disciplinary measure shall not be permitted nor shall any deductions from remuneration not provided for by national law be permitted without the expressed permission of the employee concerned.

WORKING HOURS ARE NOT EXCESSIVE

Working hours will comply with national laws, collective agreements, and the Basic Conditions of Employment Act, as amended from time to time.

Working hours, excluding overtime, shall be defined by contract, and shall not exceed that provided by legislation.

All overtime shall be voluntary. Overtime shall be used responsibly, taking into account all the following:

- The extent, frequency and hours worked by individual employees and the workforce as a whole. It shall not be used to replace regular employment. Overtime shall always be compensated at a premium rate.
- The total hours worked in any seven-day period shall not exceed those stipulated by legislation or contract of employment.

NO DISCRIMINATION IS PRACTISED

There is no discrimination in employing, remuneration, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

Wescoal shall abide by the provisions of the Employment Equity Act, as amended from time to time.

REGULAR EMPLOYMENT IS PROVIDED

To every extent possible work performed must 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 shall not be avoided through the use of sub-contracting, or home-working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.

NO HARSH OR INHUMANE TREATMENT IS ALLOWED

Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited. All sexual harassment shall be dealt with in terms of the Wescoal Policy on Sexual Harassment.

The above constitutes our responsible employer statement on human rights and the pursuit of dignified employment practices.