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## Health, Safety and Environment on the workplace Charter European Workers Council ETEX Group S.A.

### Preamble

In recognition of its corporate responsibility for the working and living conditions of its employees and end consumers, ETEX devotes since many years great attention to developing a safe working environment and creating qualified and safe products.

The ever-growing European legislation with regard to technical safety requirements, protective measures for employees and environmental protection in the enterprise during the new design, modernisations and modifications as well as during the relocation of installations or production processes poses continuously new challenges for ETEX.

Deriving from this, the applicable safety requirements, protective measures and environmental standards in the enterprise, based on the European directives and the national laws, are considered binding.

The spirit of this charter is shaped by the knowledge that the participation of all affected actors is the best guarantee for sustainably improving the working conditions. Assuring the participation of the employees and their representatives is therefore one of the primary objectives of this charter. It is believed that successes in this area will also positively influence productivity and the quality of the products.

In fulfilment of the social dialogue within the European Works Council and the principles of the social charter of the ETEX Group S.A., it is decided to form a joint working committee of representatives of the employees and the employer. The objective of the joint Working Committee is to create a platform for information exchange on Health and Safety issues and to reflect on ways how to improve communication and awareness on Health and Safety in the EU subsidiaries of ETEX Group SA.

Avenue de Tervueren 361 - B-1150 Brussels - Tel.: +32-2 778 12 11 - Fax: +32-2 778 12 12

Handwritten signatures and initials in blue ink are present below the contact information. The initials 'G.B.' are written above the contact line. Other visible initials include 'G.P.', 'S.M.', 'C.C.F.', 'P.H.B.', 'A.', 'S.M.N.', and 'S.M.N.'.

## § 1. Scope

- I. This charter applies to all companies within the European Union for which the ETEX Group S.A. is majority shareholder.
- II. As Etex Group S.A. promotes a decentralised management of its operational units, priority is given to individual initiative and development. This charter aims to foster a good communication and information flow on Safety and Health aspects that may be of a common interest without having an impact on the responsibilities of local management that is and remains solely responsible for health and safety issues in their local operations.

## § 2. Basic procedures

- I. The policy of ETEX is based on the principle of identifying and eliminating risks and thus improving the working environment and the quality of the work. The objective is to seize all possibilities in order to mobilise the knowledge, the know-how, the motivations and the creative potentials of the various actors for the purpose of improving safety, health protection and the working environment. With regard to the concrete activities within the companies of ETEX, all participants have the task of working to improve the situation in accordance with the following basic rules:
  - a. Risk analyses are performed for all workplaces, with the participation of the employees and their representatives;
  - b. The risk analyses focus on all safety, health and environmentally-relevant objects. On the basis of the risk analyses, risk reduction programmes are prepared which have a specific time frame and in which an evaluation procedure is established;
  - c. For their part, the employee representations can submit proposals for specific measures relating to work structuring and the working conditions as well as in environmental issues;
  - d. With respect to disputed questions concerning the working environment and the health of the employees which cannot be resolved within the company, external experts can be called upon and this in accordance with local regulations or procedures in the company. Employee representations and employers will work to find a solution, based on the principles of a constructive dialogue;

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APR. CRF  
SWE  
G.B. PLB oa  
SMA

- II. The active involvement of the employees in the process of improving the working environment is regarded as a prerequisite for successful actions in this area.
- a. The employees have the right and the duty to raise all irregularities and all relevant problems concerning the issues dealt with here to the local management or interests representation;
  - b. Employees with demonstrably concrete and relevant concerns about the working environment shall submit their concerns to the local competent social organ (Health and Safety Committees) who will further deal with the issue. If in an exceptional situation, employees or their representatives call upon external agencies these employees may suffer no disadvantageous consequences with respect to their jobs.

### § 3. Information to be provided to the employee representatives

- I. The company managements of the subsidiaries shall inform the local worker representation in due time with regard to the planning of
- a. new buildings, conversions and expansions of the production, administrative and other operating spaces,
  - b. technical installations,
  - c. working procedures and work sequences or
  - d. the workplaces
- with presentation of the necessary documents.
- II. They shall inform in a timely manner on the planned measures and their effects on the employees, especially on the nature of their work as well as the resulting demands on the employee, so that proposals and concerns of the worker representation can be taken into consideration during the planning process.
- III. The performance of the many tasks of environmental protection in the enterprise and of the handling of hazardous substances requires a comprehensive exchange of information between company managements and worker representations including information on the measures necessary for the implementation of acquired knowledge.
- IV. If the health of employees is so affected by the effects of the jobs, the working process or the working environment that well-established ergonomic knowledge about the proper structuring of the work are not fulfilled, the worker representation can demand for appropriate measures.

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h, g, PLB, G.B., aa, CRF, SMN

#### § 4. Structuring of the workplace and the working environment

- I. The necessary measures of work and environmental protection in the enterprise are to be adopted in consideration of the circumstances which influence the safety and health of the employees at work. They are to be examined for their effectiveness, and if necessary adapted to changing conditions. In so doing, the objective is to improve the safety and health protection of the employees and this taken into account the state of the art in terms of technology, occupational medicine, hygiene and reliable ergonomic knowledge.
- II. The established measures of working and environmental protection in the enterprise and the results of their verification are documented. As an overall principle ETEX requests its subsidiaries to put in place management systems that are construed on an integrated approach, such as ISO 14001 and OSHAS 18000. As such these systems all foresee in a structured approach of Environmental and Health & Safety issues and in extensive documentation of the processes.

#### § 5. Handling of hazardous substances, exposure to dust, noise, vibrations and work on electrical installations

- I. First and foremost, management in cooperation with the Occupational Health and Safety Committee shall investigate the possibility to prevent employees being exposed in the workplace to hazardous substances, dust, noise or other situations that are hazardous or damaging to health, in accordance with the prevention principles.
- II. If exclusion of a risk is not possible, local management shall provide the measures required and appropriate to protect employees' life and health when they handle or are exposed to hazardous substances, dust, noise and/or electrical installations and this in accordance with the general and special work and environmental protection regulations. In so doing, the generally recognised technical safety, occupational medicine and hygienic rules as well as other progressive ergonomic knowledge shall be taken into account.
- III. The following principles shall be applied when carrying out the relevant measures:
  - a. minimising potential exposure at source;
  - b. taking technical measures before organisational measures, and taking organisational measures before using personal protective equipment;

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- c. preparing operating instructions with regard to the individual risks and relevant tuition for employees concerning potential dangers, the necessary preventive measures and protective precautions and the appropriate operating procedures and behaviour;
  - d. Regularly conducting occupational medicine studies in cases where employees are exposed to hazards that may lead to health problems.
- IV. For all hazardous substances identified or used in the plant, a register of hazardous substances shall be drawn up and the Material Safety Data Sheets and the respective operating instructions shall be available at any time. The local competent committees shall receive on a regular basis all relevant updates of the information contained in these Material Safety Data Sheets. Before any handling of such substances, the employee shall be duly informed on the risk aspects and the safety measures to be followed.

### § 6. Personal protective gear

- I. If technical operating measures cannot exclude that the employees are exposed to accident or health dangers, then appropriate personal safety gear guaranteeing effective protection shall be provided free of charge and maintained in proper condition.
- II. In particular, the company management shall provide: head protection, foot protection, eye or face protection, respiratory protection, body protection, whatever is appropriate for the type of risk to which employees can be exposed
- III. Rules concerning the medical check-ups are to be applied as foreseen in local legislation independent of whether personal protective gear is used.

### § 7. Duties and rights of the employees

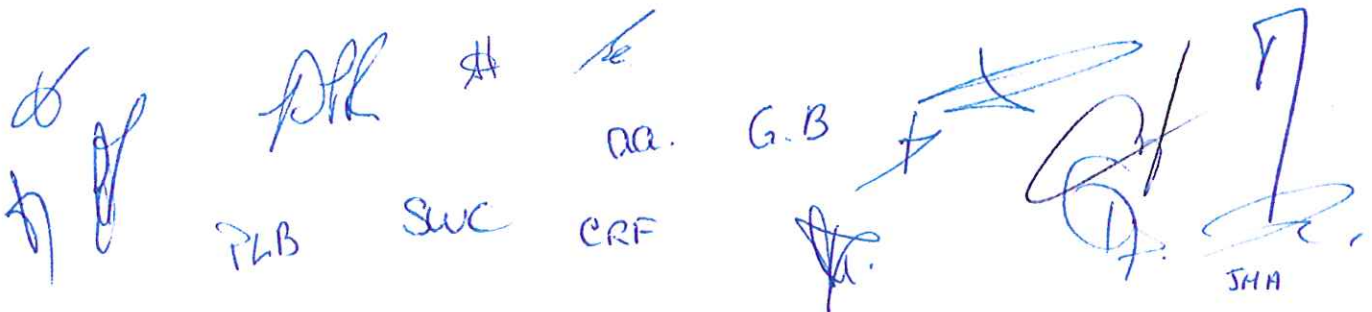
- I. The employees shall receive to apply during their working hours, adequate and appropriate instructions concerning safety and health protection at work as well as environmental protection in the enterprise. This training will include instructions and explanations which apply to the workplace or the scope of responsibilities of the employees. The training must be given upon hiring, when there are changes in the scope of responsibilities, the introduction of new tools and equipment or a new technology before commencement of the activity of the employees, and repeated as necessary . At least once a year employees shall receive a training related to a Health and Safety issue.

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A, ca, G.B., CRF, Sve, PLB, SHA, and several other illegible signatures.

- II. The employees are obliged, in keeping with their possibilities and in accordance with the training and instruction of the employer, to assume responsibility for their own safety and health at work as well as that of the persons who are affected by their actions or omissions. In particular, machines, devices, tools, working materials, means of transport and other equipment as well as safety devices and the provided personal protective equipment are to be used in accordance with their instructions.
- III. The employees must inform the employer or the responsible superior without delay of any immediate significant danger they identify for the safety, health and environment as well as every noted defect to the protective systems.
- IV. The employees have the right to openly raise all issues in the area of safety and health protection and to ask those responsible for clarification or demand their intervention. They are entitled to submit proposals and shall participate in the implementation of the hazard analysis. They shall do so through the authorized committees in place.

### § 8. Modus Operandus of the Joint Working Committee

- I. The Joint Committee will be composed out of 3 representatives of the Management of Etex Group SA on the one hand and 3 representatives of the employees , member of the Workers Council on the other hand.
- II. The Joint Working Group will operate with a fixed agenda, to be sent out at least four weeks in advance of its meeting. An annual meeting will be held in March of the year to give extensive information on the Health and Safety results of the EU companies of Etex Group SA over the past year. Furthermore some topics can be raised during this meeting as an input for possible action for improvement. In that way, the EWC wishes to encourage benchmarking between the ETEX sites in terms of occupational health and safety.
- III. The EHS department remains responsible for further communication to the local management of the individual companies. Employee representatives shall inform local representatives in the local Health and Safety Committees.

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### § 9. Regular reporting

- I. Once a year the working committee will submit to the EWC a report dealing with the following points:
  - a. overview of the risk assessment procedures implemented on the workplace and company levels;
  - b. overviews of events corresponding to the different categories of incidents and accidents;
  - c. overview of the developed training programmes in the areas of safety, health, the environment and working conditions;
  - d. developments in the areas of safety, work and environmental protection as well as the working conditions.

### § 10. Translation and dissemination of this charter


- I. This Charter will be translated into the languages of the representatives of the workers in the European Workers Council. In case of conflict of interpretation the english version will prevail.
- II. At the same time, this charter will be published by the local managements in such a way that all employees have access to it.

### § 11. Notice periods

- I. The minimum term of this charter is to two years as of its date of signature
- II. After expiry of the term, either party can terminate the charter effective at the end of the year, with an advance notice period of 6 months. The provisions of the present agreement shall remain in force until a new agreement is concluded.


Brussels, .....

**ETEX GROUP S.A.**

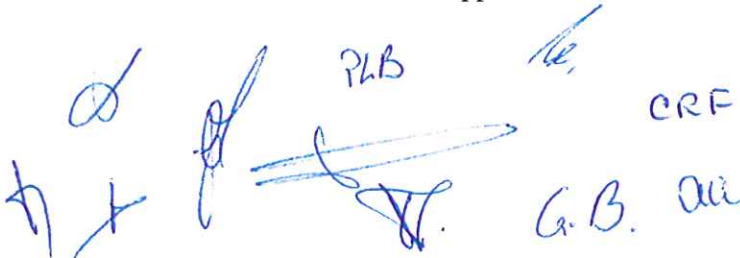


President Philippe COENS

**European Works Council  
of ETEX GROUP S.A.**



Secretary Louis VERLINDEN




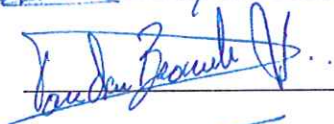
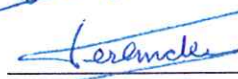

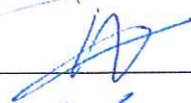
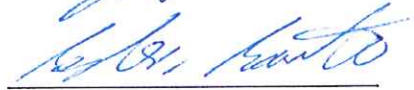


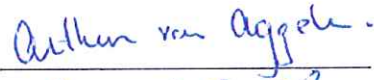
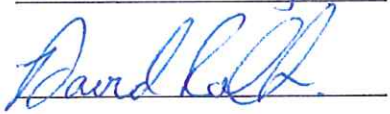


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**Etex European Works Council**  
**Elewijt Center - Elewijt-Zemst - Belgium**  
**15 June 2010**

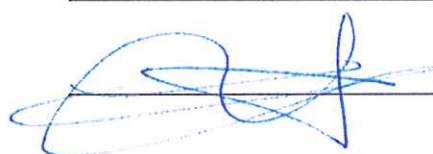
**Health, Safety and Environment on the workplace Charter**

		<u>Signature</u>
<b>Representatives:</b>	VAN DEN BERGH Werner	
	VAN DEN BRANDE Dany	
	VERLINDEN Louis	
	BOUCHARD Pascal	
	AYCARD Jean-Mark	
	BECKER Bartel	
	BYRNE Gerry	
	MAGADAN MONTES Ataulfo	
	VAN AGGELEN Arthur	
	ROLT Dave	
	FLACK Clive	
	CHANT Steve	

Signature

**Coordinator:**

MAEREVOET Jos

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**Etex Group Management:**

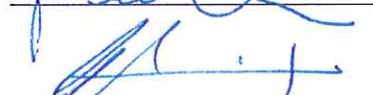
COENS Philippe

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PEETERS Fons

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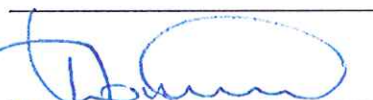
VOM SCHEIDT Axel

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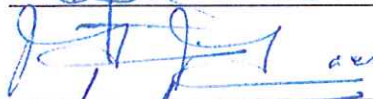
DESLYPERE Frédéric

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COREMANS Miek

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MACHARIS Myriam

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VANDEN BOSCH Marc

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