



NEW HOPE
GROUP

Appendix A
Corporate Information



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NEW HOPE
GROUP

A.1 Environmental Policy





New Hope
Corporation Limited

ENVIRONMENTAL POLICY

Consistent with our Four Pillars, New Hope Corporation is committed to environmentally responsible business practices.

Our objective is to identify and utilise the most practical, cost-effective and ecologically sustainable methods of environmental management to minimise the impacts of our business' activities on the environment and the community.

Within its operations, the Corporation strives to effectively manage its activities and the impact of those activities on the environment by:

- Empowering people to take personal responsibility for undertaking work in an environmentally responsible manner.
- Assessing and managing the risk of environmental harm.
- Complying with all applicable regulatory and statutory requirements.
- Considering all phases of operations, from construction to closure, in the context of their environmental impacts.
- Providing the resources required to manage the environment effectively.
- Consulting with external stakeholders in an open and honest manner.
- Educating employees and contractors on environmental issues and requirements.
- Progressively rehabilitating areas affected by operational activities.
- Monitoring the effectiveness of environmental management measures.
- The continual improvement of environmental management practices.

Our Four Pillars:

... People are important ...

... Continuous improvement makes us effective

... Margin management makes us competitive

... Growth is an imperative

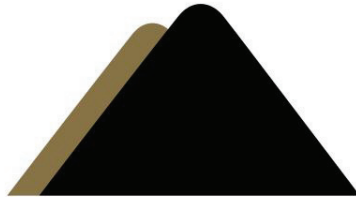
Robert C Neale
Chief Executive Officer and Managing Director
New Hope Corporation Limited
A.B.N. 38010653844



NEW HOPE
GROUP

A.2 Health and Safety Policy





New Hope Group

HEALTH and SAFETY POLICY

New Hope Group will manage all its' business operations in a manner which protects the health and safety of all employees, contractors and the public.

We are committed to proactively pursue the elimination of work related injuries and occupational illnesses in our workplaces. In doing so, we will comply with, or exceed, all relevant laws and regulations.

Specifically, we will:

- Identify, assess and manage risks to people and equipment.
- Provide a safe and healthy workplace, with the required fit for purpose equipment and systems for work.
- Provide the necessary training and resources to support our Health and Safety programs.
- Actively monitor, investigate and report our Health and Safety performance.
- Continually improve both our systems and performance through the involvement of our employees.
- Encourage all employees and contractors to take personal responsibility for both their own and their fellow employee's health and safety.
- Rely on mutual assistance, support, cooperation, and interaction amongst employees and contractors to achieve our health and safety objectives.

This policy will be routinely reviewed to ensure operational relevance and that best industry practice is maintained.

Bruce Denney
Chief Operating Officer

May 1, 2012



NEW HOPE
GROUP

**A.3 Fitness for Work –
Alcohol Management**





HEALTH, SAFETY AND ENVIRONMENT STANDARD

PROCESS ELEMENT 03.12.01 **FITNESS FOR WORK – ALCOHOL** **MANAGEMENT**

1. POLICY / OBJECTIVES

To create a culture whereby employees recognise the risks, to themselves and others, of attending work affected by alcohol misuse.

To eliminate the hazards in the workplace associated with alcohol use in a way that is consistent and fair to all persons who enter the site.

This Standard provides guidelines for the management of workplace risks due to alcohol misuse.



NOTICE

This Standard is subordinate to and shall be read in conjunction with Standard 3.00 – Safe People.

2. SCOPE

This Standard provides guidelines for the management of workplace risks due to alcohol misuse.

This Standard will apply to all employees of New Acland Coal and other persons entering New Acland Coal and its properties. It will also apply to New Acland Coal employees away from the site whilst engaged on official duties.

Contractors, Suppliers and Visitors will be subject to the same requirements as New Acland Coal employees.



NOTICE

This Standard is subordinate to and shall be read in conjunction with Standard 3.00 – Safe People.

3. RESPONSIBILITY

Responsibilities relating to this Standard are provided in Primary Standard 3.00 – Safe People.

4. PROCEDURE

Consultation

Employees and their representatives will be involved in a consultative process with the objective of reaching agreement in the development, implementation and ongoing review of this policy and associated procedures.

Policy Review

This policy will be reviewed initially, 12 months after implementation and three yearly thereafter. The initial review will consider all data collected on site and industry trends relating to drug misuse. Where changes to the policy are considered minor by the fully represented Safety Committee, e.g., changes to words or phrases that do not affect the assessment criteria, the policy will continue in place – where a change to the assessment criteria is made, agreement by a majority of the workforce shall be obtained.

4.1 ALCOHOL POLICY

4.1.1 Introduction

New Acland Coal is committed to being a successful, supportive and responsible company. As a responsible company, we are concerned with the short and long-term health affects of alcohol misuse, and with the unnecessary risks that may result in the workplace.

As an employer, New Acland Coal has a non-negotiable obligation to maintain our duty of care to all of our staff, employees, contactors and visitors. This obligation will be discharged by setting standards for FITNESS FOR WORK, and by monitoring and enforcing these standards.

No person will be allowed to commence work or to remain on our site if he or she is under the influence of alcohol. They will be regarded as being a potential hazard to themselves, to their workmates and other people who may be on our site.

This policy, and associated procedures have been developed to manage alcohol related risks and include the following:

- Alcohol prohibition
- Alcohol Breath Testing and Analysis
- Refusal to Participate
- Confidentiality of Information
- Employee Assistance Program
- Non Conformance Procedure

As part of our ongoing commitment to the health and safety of all our personnel, we will provide education and training to all personnel to whom this standard relates. Information relating to the health and safety implications of alcohol abuse, assistance within the company and the community which may be available and the relevant regulations and statutes which relate to this issue will be made available.

4.1.2 Definitions

In relation to this Standard, the following definitions shall apply:

Alcohol

Alcohol is a substance which, when ingested by any means by a human being, is capable of causing impairment.

Impairment

Any detrimental effect induced by an introduced substance or article, on cells or functions of cells in the human body.

Alcohol Dependence

Defined as an illness in which a person's consumption of alcohol repeatedly interferes with the person's health and or job performance.

Chain of Custody

A series of procedures to account for the integrity of urine specimens by tracking the specimen's handling and storage from point of specimen collection to final disposition of the specimen.

Prescribed Incident

If the incident is considered serious by the Manager he may require sampling procedures to take place.

Some examples where this protocol may be applied includes:

- Collisions involving mobile equipment,
- Incidents involving machinery operation;
- Incidents involving confined spaces;

- Incidents involving electrocution, explosion or fire;
- Any incident that is deemed serious enough to be investigated by the Manager.

Sample Collection Agent

A person, whether or not employed by New Acland Coal or a service provider, who instructs and assists individuals at a collection site and who receives and makes an initial examination of the breath sample. They may also undertake confirmation examination of a breath sample. Any sample collection agent shall be trained and instructed on the collection procedures to perform this task.

4.1.3 Requirements

Legal Obligations

- a) Legal obligations shall be met by the implementation of the Policy and Procedures.
- b) Statutory obligations shall be complied with in regard to:
 - i) Coal Mining Safety and Health Regulation (2001)
 - s39: A person must not consume alcohol at a coal mine, other than in an accommodation building or a recreation area designated by the site senior executive for the purpose.
 - s40: A person must not carry out a work activity at a coal mine, or enter a part of the mine where on-site activities are carried on, if the person is under the influence of alcohol.
 - s41: Safety and health management system for alcohol
 - (1) A coal mine's safety and health management system must provide for controlling risks at the mine associated with the excessive consumption of alcohol.
 - (2) The system must provide for the following about alcohol consumption for persons at the mine –
 - (a) an education program;
 - (b) an employee assistance program;
 - (c) the following assessments to decide a person's fitness for work –
 - I. voluntary self-testing;
 - II. random testing before starting work;
 - III. testing the person if someone else reasonably suspects the person is under the influence of alcohol.
 - S42.(4)(c): an obligation of a person to notify the site senior executive for the mine of the person's current use of medication that could impair the person's ability to carry out the person's duties at the mine.
 - ii) Coal Mining Safety and Health Act (1999)
 - s39.(2)(e): to work at the coal mine only if the worker or person is in a fit condition to carry out the work without affecting the safety and health of others.
 - iii) Dangerous Goods Act

Clause 92 of the Dangerous Goods Regulation 1978

Provides that no intoxicating liquor shall be taken into and no intoxicated person may enter a licensed dangerous goods storage depot.

Employee Assistance Programs (EAP)

New Acland Coal Management maintains an EAP to assist employees and their immediate families with personal and or work related problems that require specialised counselling. The EAP is a strictly confidential service run by professional counsellors and is free of cost to the employee. The EAP is available to employees who may have an alcohol dependency or other related problem. Any employee needing information on the EAP can ask the Safety Training Coordinator or their supervisor for assistance.

Confidentiality

Strict confidentiality shall apply to all counselling sessions for the protection of the individual's privacy. Information in regard to an employee's personal problems shall not be passed on to anyone not required to be informed of such information, without the written permission of the employee.

All testing and test results shall be handled in a confidential manner and in accordance with approved testing procedures and appropriate sections of AS 4308:2001.

All persons involved or engaged in any part of the protocols and procedures are prohibited from disclosing any information regarding the process, sampling activities, any information generated or any outcome, except to facilitate their utilisation in the event of a challenge.

Self Testing.

All persons coming onto site will be afforded the opportunity of self testing on the alcohol meter, provided this is undertaken before the commencement of their shift.

Where a person elects to self-test and they test above the site limit they should excuse themselves from normal duties for that shift – they will not be required to inform a supervisor of the reading on the meter.

Where the person self testing elects to inform a supervisor of the reading, and the reading is above the site limit, the person will be managed as having tested and exceeded the limit and the policy procedures followed.

This will include the second testing, recording of a positive result and any necessary transport home.

4.1.4 Alcohol Testing

Testing for Alcohol

Testing for alcohol will be carried out in the following situations:

- a) If a person exhibits signs and symptoms which may lead others to suspect them of being under the influence of or impaired by alcohol. (a question of *fitness for work*);
- b) If a person has been involved in an accident, incident or "near miss".
- c) On a random basis, regular random testing will be carried out on all employees, contractors and visitors to ensure compliance with the Fitness for Work Procedures.

An appropriate number of New Acland employees will be trained to conduct testing for alcohol. Where testing is conducted by an approved sample collection agent these site trained employees will act as observers to the process.

A record of all testing will be maintained. These records will be kept confidential at all times.

Random Testing

Random alcohol testing will be carried out to ensure conformance with the Fitness for Work Procedures. The manager may require that testing for alcohol be conducted at the mine site, on a randomly selected shift on a randomly selected day.

The selection process will be based on the following:

- Alcohol breath testing - whole of site at least once per month (this will include contractors and visitors on site at the time of testing)
- All random testing will be carried out at the commencement of the selected shift and without prior notification.

The Manager will appoint, in writing, those persons who may conduct breath testing. The name of the independent testing laboratory will be made available to all site employees, should their services be required.

Random testing will be carried out according to the flow chart in Appendix A.

Post Incident Testing

Where a person has been involved in an accident, incident or “near miss” which is a prescribed incident described in the definitions, they will be tested to ascertain if alcohol was present in the incident and if they are fit to continue working. Such testing will take place within two (2) hours of the incident occurring.

Challenge to Fitness

Where a person is reasonably suspected of being under the influence of alcohol, that person will be required to undertake alcohol testing.

All site employees have an obligation to report any person suspected of being **unfit for work**.

All concerns must be reported to immediate supervisors.

Limits - Alcohol

The prescribed limit of blood alcohol concentration at New Acland Mine is 0.00 grams of alcohol per 100 millilitres of blood. (AS 3547 - 1993).

Positive Result

A positive result is deemed to be one where the blood alcohol concentration is **greater than or equal** to 0.02 grams of alcohol per 100 millilitres of blood.

Hold Result

A Hold Result will be deemed to be one where the BAC reading is greater than 0.00 but less than 0.02 grams of alcohol per 100 millilitres of blood.

Alcohol Breath Testing

Procedure

The person being tested will be required to supply a sample of air from their lungs sufficient to facilitate a sample. This sufficient sample will be directed into an approved breath analysis instrument.

No sample shall be taken within **20 minutes** of the person consuming any alcoholic substance or intoxicating liquor. If the person being tested indicates a blood alcohol concentration greater than 0.00 grams of alcohol per 100ml of blood, the employee will be given a second breath analysis test.

This second analysis test is to be carried out not less than twenty (20) minutes and not more than one hour after the original test. If this test is being conducted under the provisions of the post incident testing procedure then the two-hour time limit must be borne in mind.

The individual being tested may request the attendance of a personal witness from the work group and the person conducting the test shall have an additional person witness the result of this second test.

The person must refrain from taking anything by mouth during the waiting period, to validate the second breath analysis test. (This includes smoking, eating, tea or coffee.)

Where a person provides a sample that is greater than 0.00 and less than 0.02 grams of alcohol per 100ml of blood, a **Hold Result**, they will not be permitted to go to work until they are able to provide a 0.00 sample. The sample provider will remain in the main office during this time.

Personal Confirmation

If not sufficiently satisfied with the results of the primary and secondary tests and after returning home, the employee can, at their own expense, have a blood alcohol test conducted by a doctor of their choice. If, as a result of the test, the doctor supplies a signed statement, stating that the persons blood was sampled within two (2) hours of the initial breath analysis test, and that the employee's blood alcohol level would have been 0.00 grams of alcohol per 100ml of blood, the employee will be paid for the shift and his or her medical expenses met.

Transport from site after positive test result

Where a person tests under 0.05 (BAC) they may transport themselves from site.

Where a person tests over 0.05 (BAC) they will be driven home or arrangements made to have them transported home.

Where a person tests over 0.05 (BAC) and they refuse or decline transport assistance and proceed to drive themselves home the supervisor shall be obliged to advise the local police of the risk to the general public and the individual.

4.1.5 Non-Conformance Provisions

Positive Test Result Management Process – New Acland Coal Employees

New Acland Coal will support and assist any of its employees who are prepared to devote themselves to recognised detoxification, rehabilitation and counselling programs.

New Acland Coal is also aware of the devastating costs to industry, the community and also family as a result of alcohol abuse. With that knowledge, the following will apply:

Positive Test Result

An affected employee will not be allowed to commence or continue working and will be taken home after testing positive.

1. On the **first** occasion an individual returns a positive alcohol test result:
A verbal warning will be issued and the details will be recorded on the individuals personnel file.
The person will be offered the assistance of the EAP program.
The severity of the breach will dictate the level of disciplinary action.
2. On the **second** occasion an individual returns a positive alcohol test result within a **twelve-month** period:
The details will be recorded on their personnel file and a letter of warning issued;
The person will be required to offer a brief written explanation for the positive test result and to outline their plan to ensure they do not again test above the site limit;
The person will be required to demonstrate active participation in a recognised rehabilitation program or attend a recognised drug and alcohol related education program.
The severity of the breach will dictate the level of disciplinary action.
3. On the **third** occasion an individual returns a positive alcohol test result within a twelve-month period their employment may be terminated. The severity of the breach will dictate the level of disciplinary action.

Other conditions of response to positive test results

Any person who tests positive to alcohol:

Shall demonstrate **fitness for work** by way of negative test result before returning to work.

Persons testing positive for alcohol related impairment will present themselves at their next regular shift for a breath test and proceed to work if they test under the site limit.

Time away from work as a result of a positive alcohol test result shall be taken as sick, annual or long service leave.

The employee will also be required to meet with the Department Superintendent prior to recommencing work.

Costs of **positive** confirmatory tests will be charged to the employee.

Extended Absences

In situations where an employee is off work for an extended period, the Department Superintendent (or other designated person) will be responsible for communicating with the employee on an ongoing basis.

Refusal to Undergo a Test

Refusal to undergo a test is considered a breach of this policy and will be recorded. In the event that a person refuses to undergo a test, that person will be taken home and will not be paid for the time they are

away from work. If the person is to return to work, they will comply with the conditions above, including undergoing an alcohol test and the results being found to be clear prior to commencing work.

If, on observation, any employee appears to be affected by alcohol and the employee refuses to undergo a test, disciplinary action will be taken in accordance with the disciplinary procedure.

Positive Test Result Management Process - Contractors and Visitors

First Positive Test Result

An affected contractor/visitor will be transported from site after testing positive. The contractor's employer will be notified. In the case of a visitor a suitable contact person will be advised. The affected contractor/visitor will not be permitted back on site until such time as alcohol tests are found to be clear. Prior to returning to site, a meeting between the contracting company's representative or the visitor and a New Acland Coal representative will take place to discuss the appropriate course of action that should be taken.

Second Positive Test Result

Should a second incident occur within two years of the first positive results occurring, the affected contractor/visitor will be subject to the same procedure as in the initial incident. In addition, the contractor/visitor will be required to attend a meeting between the contracting company's representative or the visitor and a New Acland Coal representative. The outcome of the meeting will be a signed **Return to Work Agreement** and appropriate monitoring arrangements. The contractor/visitor will be encouraged to attend counselling.

Third Positive Test Result

An affected contractor/visitor will be transported from site after testing positive. The contracting company or visitor will be advised that the affected person will not be permitted back on site.

5. COMMUNICATION / TRAINING

The requirements of this Standard will be effectively communicated to all employees (including contractors).

The standard, policy and procedures will be:

- a) well publicised.
- b) included in induction and ongoing training programs.

The policy and procedures will be reinforced on an ongoing basis through:

- a) information sessions.
- b) bench talk meetings.
- c) Health and Safety Committee activities.
- d) promotional material (booklets, leaflets).
- e) ongoing training to selected testers.

Supervisors, Employee Representatives, Superintendents and Managers will undertake necessary education and training programs to provide sufficient skill and confidence to:

- a) identify declining work performance.
- b) deal with employees under the influence of alcohol.
- c) co-ordinate workplace responses to employee assistance programs.

- d) handle and manage people under the influence of alcohol.
- e) identify and assess persons suspected of being affected by alcohol.
- f) promote the health and well being of all employees through information and educational programs.

Education and training programs will be developed in conjunction with experts in the field of alcohol abuse and misuse.

6. REFERENCES



Coal Mining Safety and Health Act – Qld. (1999)



Coal Mining Safety and Health Regulation – Qld. (2001)



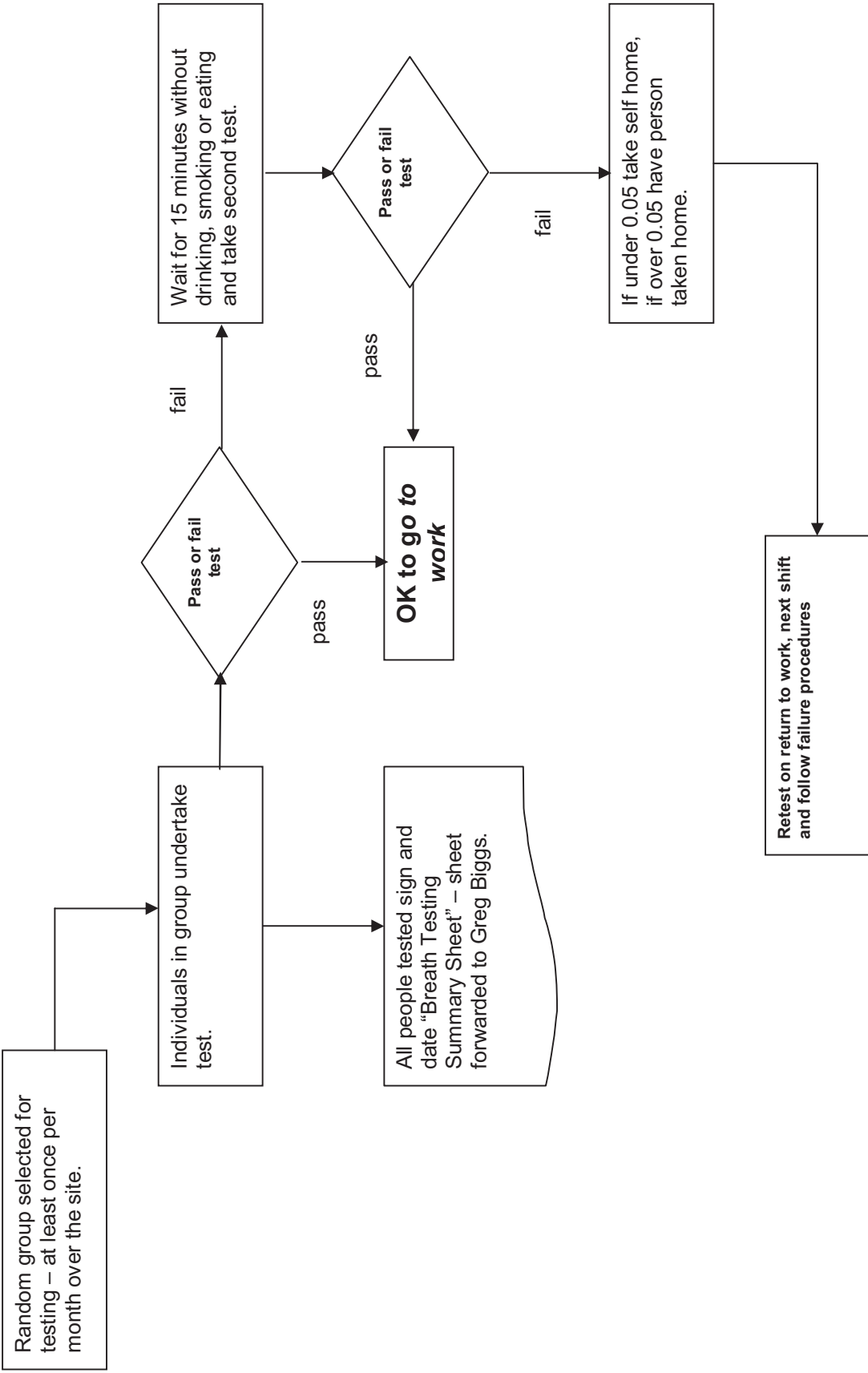
New Acland Coal's HSE Standards

7. RECORDS

A confidential record shall be maintained of formal counselling, or disciplinary action taken, in relation to infringements of New Acland Coal's procedures relating to Fitness for Work.

New Acland Coal will ensure that information and records relating to any person's fitness for work in relation to alcohol management will only be used to decide a person's fitness for work at this mine and will be destroyed when the person:

- is an employee of a regular contractor – 18 months after ceasing to work at New Acland Mine
- is an employee of another contractor or New Acland Coal – when they cease to be employed by the contractor or New Acland Coal





HEALTH & SAFETY ELEMENT

HSE-01 – Fatigue Hazard Management Plan

Coal Mine Safety and Health Regulation 2001

42 Safety and health management system for personal fatigue and other physical and psychological impairment, and drugs

- (1) A coal mine's safety and health management system must provide for controlling risks at the mine associated with the following—
- personal fatigue;
 - other physical or psychological impairment;

*Example of other physical or psychological impairment—
an impairment caused by stress or illness*

- the improper use of drugs.
- (2) The system must provide for the following about personal fatigue for persons at the mine—
- an education program;
 - an employee assistance program;
 - the maximum number of hours for a working shift;
 - the number and length of rest breaks in a shift;
 - the maximum number of hours to be worked in a week or roster cycle.
- (3) The system must provide for protocols for other physical and psychological impairment for persons at the mine.
- (4) The system must provide for the following about drug consumption or ingestion for persons at the mine—
- an education program;
 - an employee assistance program;

Health and Safety Element

- (c) an obligation of a person to notify the site senior executive for the mine of the person's current use of medication that could impair the person's ability to carry out the person's duties at the mine;
- (d) an obligation of the site senior executive to keep a record of a notification given to the site senior executive under paragraph (c);
- (e) the following assessments to decide a person's fitness for work—
 - (i) voluntary self-testing;
 - (ii) random testing before starting, or during, work;
 - (iii) testing the person if someone else reasonably suspects the person's ability to carry out the person's duties at the mine is impaired because the person is under the influence of drugs.
- (5) The site senior executive must consult with a cross-section of workers at the mine in developing the fitness provisions.
- (6) In developing the fitness provisions, the site senior executive must comply with section 10, other than section 10(1)(a) and (d)(ii)(C), as if a reference in the section to a standard operating procedure were a reference to the fitness provisions.
- (6A) If the fitness provisions provide for the assessment of workers for a matter mentioned in subsection (1)(a) or (b), the site[s 43] Coal Mining Safety and Health Regulation 2001 Chapter 2 All coal mines Part 6 Fitness for work Page 54 Current as at 23 July 2012 senior executive must establish the criteria for the assessment in agreement with a majority of workers at the mine.
- (7) If the fitness provisions provide for the assessment of workers for a matter mentioned in subsection (1)(c), the site senior executive must make a reasonable attempt to establish the criteria for the assessment in agreement with a majority of workers at the mine.
- (7A) If the majority of workers at the mine disagree with the criteria for the assessment under subsection (7), the criteria for assessment stated in a recognised standard apply until an agreement is reached.
- (8) In this section—
fitness provisions means the part of the safety and health management system that provides for the things mentioned in subsections (2) to (4).

43 Dealing with records and information about a person's fitness for work

The site senior executive must ensure information and records about a person's fitness for work obtained under sections 41 and 42 are—

- (a) used only for deciding the person's fitness for work at the mine; and
- (b) are destroyed—
 - (i) for an employee of a regular contractor—18 months after the employee ceases to work at the mine; or
 - (ii) for an employee of another contractor or coal mine operator—when the employee ceases to be employed by the other contractor or operator.

General Requirements

- This Fatigue Hazard Management Plan (FHMP) establishes the strategies required to manage risks related to fatigue and applies to all employees of New Acland Coal and other persons entering New Acland Coal Mine and its properties. The (FHMP) has been developed through a consultative process as required under legislation.
- A risk assessment for the Fatigue Hazard Management Plan was conducted using a cross-section of workers, and was modelled on the Guidance Note for Fatigue Management (QGN 16).

Definitions

Term	Description
Circadian rhythm	A daily cycle of biological activity based on a 24-hour period and influenced by regular variations in the environment, such as the alternation of night and day. Circadian rhythms include sleeping and waking. Also referred to as biological clock.
Commute	Commute is the term given to the journey for a worker to and from site including: from their permanent home, or their temporary accommodation
Consultation	Consultation with workers is discussion between the site senior executive or supervisors and affected workers about a matter with the aim of reaching agreement about the matter. Further requirements for consultation are specified in legislation (e.g. Reg s10).
Commute Hazard Analysis (CHA)	Commute Hazard Analysis (CHA) is the tool used which details of how the person will manage fatigue and commute risks – (refer Form: HSE-01-FM01 – Commute Hazard Analysis).
Extended Working Hours	Working hours in excess of established rostered hours, including overtime will be extended working hours.
Exposure Hours	The total number of hours a person is on site.
Fatigue	A state of impairment that can include physical and / or mental elements associated with lower alertness and reduced performance.
Permanent Contractor	A contractor that works for <u>3 or more shifts</u> in any seven day period.
Roster	The consecutive shifts that a worker has been allocated to work – within a roster cycle.
Roster Break	Is the time allotted within the roster cycle where the worker is not at rostered to work

Term	Description
Roster cycle	The rostered shifts and breaks that, over a set period of time, repeat the pattern.
Rostered hours	The hours for which a worker is rostered to work – within a roster cycle.
Shift	The hours between the start and finish of established rostered hours and inclusive of Pre-Start meetings.
Wakefulness and Extended wakefulness	Wakefulness is the term for the period, in hours, of being awake from the previous block of sleep
Worker (including mine worker and coal mine worker)	Any person who works on the mine site regardless of their employer, including contractors.

Obligations - Generally

- **Unscheduled Shifts**
 - Any person requested to attend work for an unscheduled shift has an obligation to advise their supervisor of their present condition/suitability to be 'fit for work'. Consideration must be made for impairment from fatigue for the duration of the shift.

Fatigue Policy

- The New Acland Coal Commitment - Fatigue Policy.

Hours of Shift Work, Shift Breaks, Rest Breaks and Shift Start Time

Maximum hours of work	Maximum hours of work in any 24 hour period (can only be exceeded as per "Extension of Working Hours" section)	14 hours
	Maximum shifhours without a Roster Break	65 hours
	Maximum hours in any consecutive four (4) week period	240 hours
Maximum Hours of Work – Dayshift Role Only (With SSE Approval)	Maximum of 8 continuous Day Shifts totaling less than 90 hours, with a minimum 5 day break	< 90 hours
Shift breaks – inclusive of handover	Minimum Shift Break between consecutive shifts (this time is for sleep; wind down, recovery and travel).	10 hours
	The minimum roster Break in a roster cycle (will be at least).	20 hours
	The minimum Roster Break; after a continuous night shift roster of >5 night shifts (e.g., a consecutive overtime shift	40 hours

	will be considered part of the roster)	
Meal / Rest Breaks	For 12 hour shifts there will be two breaks of 30 minutes duration: <ul style="list-style-type: none"> • The first break shall be taken in a period 3 - 5 hours from start of shift. • The second break must be taken within 3 to 5 hours of the individual's first break. • The second break is not to commence more than 5 hours from end of shift. 	
Shift Start Time	Rostered shifts shall not be scheduled to start between midnight and 5.00am.	

Managing Fatigue within a Shift

- Number and Length of Rest Breaks in a Shift
 - Flexibility of break times may be arranged after consultation between the supervisor and worker to allow self-management of personal fatigue. Meal breaks and rest breaks shall not be traded off for an early finish time.
- Extension of Working Hours

NOTE	An Extension of Working Hours risk assessment with approval of the SSE must be undertaken before work hours are extended past 14 hours
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- Workers are permitted to work up to 14 hours in one shift. Where any worker is required to work beyond 14 hours, authorisation must be sought from the New Acland Coal Mine Site Senior Executive. Before granting authorisation for a worker to continue work beyond the 14 hour limit, the SSE must be satisfied that the risks to the worker and others are effectively managed.
- Any rosters or schedules outside this FHMP require a risk assessment and SSE approval before implementation.
- The supervisor will undertake a risk assessment to manage the exposure hazards using the Extension of Working Hours form – (refer Form: **HSE-01-FM03 – Extension of Working Hours**).

Entering and leaving Work (exposure hours)

- Workers will be required to register that they are on site and when leaving the site at the end of the shift.,
 - All workers and permanent contractors (with the exception of BBH) will be issued with a Scenario swipe device.
 - Where contractors are not working in a location that allows access to the Scenario system they will be required to submit their active work on a Contractors Exposure Hours Report – (refer Form: **HSE-01-FM02 – Contractors Exposure Hours Report**).
 - Supervisors will be responsible for administering employee active work hours.

Contractors

- Contractors may work under their own Fitness for Work - Fatigue Hazard Management Plan, provided that the Plan has been accepted by the SSE into the New Acland Coal Mine Safety Health Management System. Where a Contractor does not have their own (FHMP) they will work to this Plan.
- Before engaging a contractor on site the Contract Holder/site Supervisor must be satisfied that the contractor has managed their exposure hours before work can commence; and each contractor will be required to submit a Contractors Exposure Hours Report – (refer Form: **HSE-01-FM02 – Contractors Exposure Hours Report**).

NOTE	Permanent Contractors (as defined in this plan) are not required to submit a Contractors Exposure Hours Report, but must comply with all other requirements detailed in this plan
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Commute Hazard Analysis (CHA)





- All workers should limit their commute to and from the mine site at the start and end of each shift as these are the times of highest risk.
- Where a worker chooses to commute over the 80km zone and up to the 120km zone, will require a risk assessment with SSE approval (refer Appendix 1). If they choose to commute outside of the 120km zone they shall have appropriate fatigue management risk controls and are required to submit a Commute Hazard Analysis (CHA) form - (refer Form: **HSE-01-FM01 – Commute Hazard Analysis**).
- Where a worker needs to make a modification to their (CHA) they may contact their site supervisor, superintendent or contract holder to discuss temporary fatigue risk strategies, should these changes form new and permanent controls a new (CHA) should be completed.
- On completion of a (CHA) the supervisor or contract holder will provide the worker with a copy for their records and reference, and forward the original to the Safety Department.
- A (CHA) may also be applied when personnel are required to work under 'Extension of Work Hours' or where a person may suffer illness at work, that does not require immediate medical attention and wishes to travel home.

Support Systems

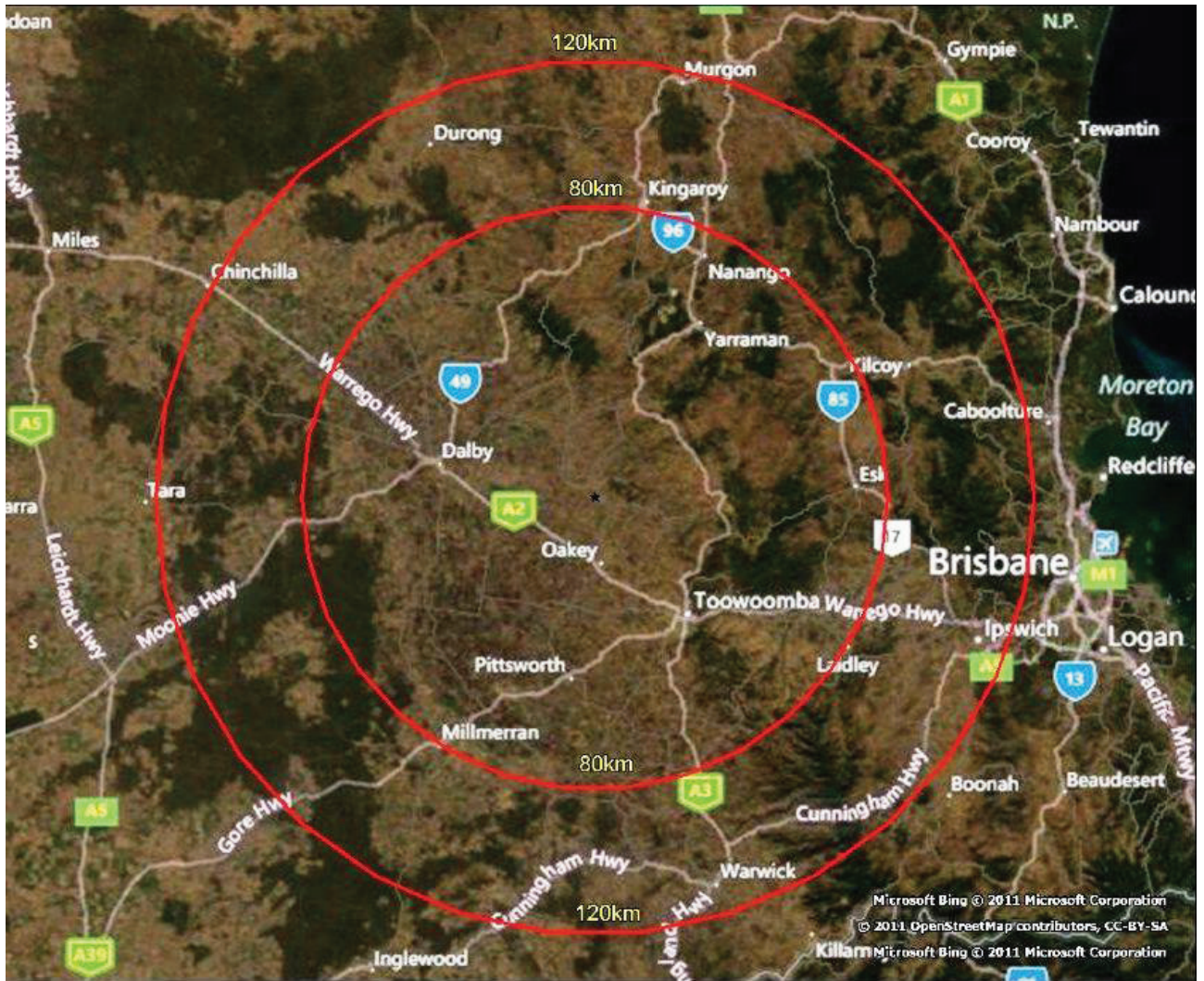
NOTE	Employee Assistance Program (EAP) – 1300 615160
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- Education Program
 - New Acland Coal will provide education programs that assist Supervisors and employees by providing information on how to manage shift work and fatigue related issues.
 - During induction, workers will be alerted to the hazards and risks associated with fatigue.
 - Fatigue education program refreshers should be delivered every 2 years.

Reference and Forms

-  QGN16 Guidance Note for Fatigue Management
 -  HSE-01-RA01 Fitness for Work – Fatigue
 -  HSE-01--FM01 – Commute Hazard Analysis
 -  HSE-01-FM02 – Contractors Exposure Hours report
- HSE-01-FM03 – Extension of Working Hours

Appendix 1 – Commute Plan Map (80 km zone)



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NEW HOPE
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**A.4 Fitness for Work –
Fatigue Management**





HEALTH & SAFETY ELEMENT

HSE-01 – Fatigue Hazard Management Plan

Coal Mine Safety and Health Regulation 2001

42 Safety and health management system for personal fatigue and other physical and psychological impairment, and drugs

- (1) A coal mine's safety and health management system must provide for controlling risks at the mine associated with the following—
- (a) personal fatigue;
 - (b) other physical or psychological impairment;

*Example of other physical or psychological impairment—
an impairment caused by stress or illness*

- (c) the improper use of drugs.
- (2) The system must provide for the following about personal fatigue for persons at the mine—
- (a) an education program;
 - (b) an employee assistance program;
 - (c) the maximum number of hours for a working shift;
 - (d) the number and length of rest breaks in a shift;
 - (e) the maximum number of hours to be worked in a week or roster cycle.
- (3) The system must provide for protocols for other physical and psychological impairment for persons at the mine.
- (4) The system must provide for the following about drug consumption or ingestion for persons at the mine—
- (a) an education program;
 - (b) an employee assistance program;

Health and Safety Element

- (c) an obligation of a person to notify the site senior executive for the mine of the person's current use of medication that could impair the person's ability to carry out the person's duties at the mine;
- (d) an obligation of the site senior executive to keep a record of a notification given to the site senior executive under paragraph (c);
- (e) the following assessments to decide a person's fitness for work—
 - (i) voluntary self-testing;
 - (ii) random testing before starting, or during, work;
 - (iii) testing the person if someone else reasonably suspects the person's ability to carry out the person's duties at the mine is impaired because the person is under the influence of drugs.
- (5) The site senior executive must consult with a cross-section of workers at the mine in developing the fitness provisions.
- (6) In developing the fitness provisions, the site senior executive must comply with section 10, other than section 10(1)(a) and (d)(ii)(C), as if a reference in the section to a standard operating procedure were a reference to the fitness provisions.
- (6A) If the fitness provisions provide for the assessment of workers for a matter mentioned in subsection (1)(a) or (b), the site[s 43] Coal Mining Safety and Health Regulation 2001 Chapter 2 All coal mines Part 6 Fitness for work Page 54 Current as at 23 July 2012 senior executive must establish the criteria for the assessment in agreement with a majority of workers at the mine.
- (7) If the fitness provisions provide for the assessment of workers for a matter mentioned in subsection (1)(c), the site senior executive must make a reasonable attempt to establish the criteria for the assessment in agreement with a majority of workers at the mine.
- (7A) If the majority of workers at the mine disagree with the criteria for the assessment under subsection (7), the criteria for assessment stated in a recognised standard apply until an agreement is reached.
- (8) In this section—
fitness provisions means the part of the safety and health management system that provides for the things mentioned in subsections (2) to (4).

43 Dealing with records and information about a person's fitness for work

The site senior executive must ensure information and records about a person's fitness for work obtained under sections 41 and 42 are—

- (a) used only for deciding the person's fitness for work at the mine; and
- (b) are destroyed—
 - (i) for an employee of a regular contractor—18 months after the employee ceases to work at the mine; or
 - (ii) for an employee of another contractor or coal mine operator—when the employee ceases to be employed by the other contractor or operator.

General Requirements

- This Fatigue Hazard Management Plan (FHMP) establishes the strategies required to manage risks related to fatigue and applies to all employees of New Acland Coal and other persons entering New Acland Coal Mine and its properties. The (FHMP) has been developed through a consultative process as required under legislation.
- A risk assessment for the Fatigue Hazard Management Plan was conducted using a cross-section of workers, and was modelled on the Guidance Note for Fatigue Management (QGN 16).

Definitions

Term	Description
Circadian rhythm	A daily cycle of biological activity based on a 24-hour period and influenced by regular variations in the environment, such as the alternation of night and day. Circadian rhythms include sleeping and waking. Also referred to as biological clock.
Commute	Commute is the term given to the journey for a worker to and from site including: from their permanent home, or their temporary accommodation
Consultation	Consultation with workers is discussion between the site senior executive or supervisors and affected workers about a matter with the aim of reaching agreement about the matter. Further requirements for consultation are specified in legislation (e.g. Reg s10).
Commute Hazard Analysis (CHA)	Commute Hazard Analysis (CHA) is the tool used which details of how the person will manage fatigue and commute risks – (refer Form: HSE-01-FM01 – Commute Hazard Analysis).
Extended Working Hours	Working hours in excess of established rostered hours, including overtime will be extended working hours.
Exposure Hours	The total number of hours a person is on site.
Fatigue	A state of impairment that can include physical and / or mental elements associated with lower alertness and reduced performance.
Permanent Contractor	A contractor that works for <u>3 or more shifts</u> in any seven day period.
Roster	The consecutive shifts that a worker has been allocated to work – within a roster cycle.
Roster Break	Is the time allotted within the roster cycle where the worker is not at rostered to work

Term	Description
Roster cycle	The rostered shifts and breaks that, over a set period of time, repeat the pattern.
Rostered hours	The hours for which a worker is rostered to work – within a roster cycle.
Shift	The hours between the start and finish of established rostered hours and inclusive of Pre-Start meetings.
Wakefulness and Extended wakefulness	Wakefulness is the term for the period, in hours, of being awake from the previous block of sleep
Worker (including mine worker and coal mine worker)	Any person who works on the mine site regardless of their employer, including contractors.

Obligations - Generally

- **Unscheduled Shifts**
 - Any person requested to attend work for an unscheduled shift has an obligation to advise their supervisor of their present condition/suitability to be 'fit for work'. Consideration must be made for impairment from fatigue for the duration of the shift.

Fatigue Policy

- The New Acland Coal Commitment - Fatigue Policy.

Hours of Shift Work, Shift Breaks, Rest Breaks and Shift Start Time

Maximum hours of work	Maximum hours of work in any 24 hour period (can only be exceeded as per "Extension of Working Hours" section)	14 hours
	Maximum shifhours without a Roster Break	65 hours
	Maximum hours in any consecutive four (4) week period	240 hours
Maximum Hours of Work – Dayshift Role Only (With SSE Approval)	Maximum of 8 continuous Day Shifts totaling less than 90 hours, with a minimum 5 day break	< 90 hours
Shift breaks – inclusive of handover	Minimum Shift Break between consecutive shifts (this time is for sleep; wind down, recovery and travel).	10 hours
	The minimum roster Break in a roster cycle (will be at least).	20 hours
	The minimum Roster Break; after a continuous night shift roster of >5 night shifts (e.g., a consecutive overtime shift	40 hours

	will be considered part of the roster)	
Meal / Rest Breaks	For 12 hour shifts there will be two breaks of 30 minutes duration: <ul style="list-style-type: none"> • The first break shall be taken in a period 3 - 5 hours from start of shift. • The second break must be taken within 3 to 5 hours of the individual's first break. • The second break is not to commence more than 5 hours from end of shift. 	
Shift Start Time	Rostered shifts shall not be scheduled to start between midnight and 5.00am.	

Managing Fatigue within a Shift

- Number and Length of Rest Breaks in a Shift
 - Flexibility of break times may be arranged after consultation between the supervisor and worker to allow self-management of personal fatigue. Meal breaks and rest breaks shall not be traded off for an early finish time.
- Extension of Working Hours

NOTE	An Extension of Working Hours risk assessment with approval of the SSE must be undertaken before work hours are extended past 14 hours
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- Workers are permitted to work up to 14 hours in one shift. Where any worker is required to work beyond 14 hours, authorisation must be sought from the New Acland Coal Mine Site Senior Executive. Before granting authorisation for a worker to continue work beyond the 14 hour limit, the SSE must be satisfied that the risks to the worker and others are effectively managed.
- Any rosters or schedules outside this FHMP require a risk assessment and SSE approval before implementation.
- The supervisor will undertake a risk assessment to manage the exposure hazards using the Extension of Working Hours form – (refer Form: **HSE-01-FM03 – Extension of Working Hours**).

Entering and leaving Work (exposure hours)

- Workers will be required to register that they are on site and when leaving the site at the end of the shift.,
 - All workers and permanent contractors (with the exception of BBH) will be issued with a Scenario swipe device.
 - Where contractors are not working in a location that allows access to the Scenario system they will be required to submit their active work on a Contractors Exposure Hours Report – (refer Form: **HSE-01-FM02 – Contractors Exposure Hours Report**).
 - Supervisors will be responsible for administering employee active work hours.

Contractors

- Contractors may work under their own Fitness for Work - Fatigue Hazard Management Plan, provided that the Plan has been accepted by the SSE into the New Acland Coal Mine Safety Health Management System. Where a Contractor does not have their own (FHMP) they will work to this Plan.
- Before engaging a contractor on site the Contract Holder/site Supervisor must be satisfied that the contractor has managed their exposure hours before work can commence; and each contractor will be required to submit a Contractors Exposure Hours Report – (refer Form: **HSE-01-FM02 – Contractors Exposure Hours Report**).

NOTE	Permanent Contractors (as defined in this plan) are not required to submit a Contractors Exposure Hours Report, but must comply with all other requirements detailed in this plan
-------------	--

Commute Hazard Analysis (CHA)





- All workers should limit their commute to and from the mine site at the start and end of each shift as these are the times of highest risk.
- Where a worker chooses to commute over the 80km zone and up to the 120km zone, will require a risk assessment with SSE approval (refer Appendix 1). If they choose to commute outside of the 120km zone they shall have appropriate fatigue management risk controls and are required to submit a Commute Hazard Analysis (CHA) form - (refer Form: **HSE-01-FM01 – Commute Hazard Analysis**).
- Where a worker needs to make a modification to their (CHA) they may contact their site supervisor, superintendent or contract holder to discuss temporary fatigue risk strategies, should these changes form new and permanent controls a new (CHA) should be completed.
- On completion of a (CHA) the supervisor or contract holder will provide the worker with a copy for their records and reference, and forward the original to the Safety Department.
- A (CHA) may also be applied when personnel are required to work under 'Extension of Work Hours' or where a person may suffer illness at work, that does not require immediate medical attention and wishes to travel home.

Support Systems

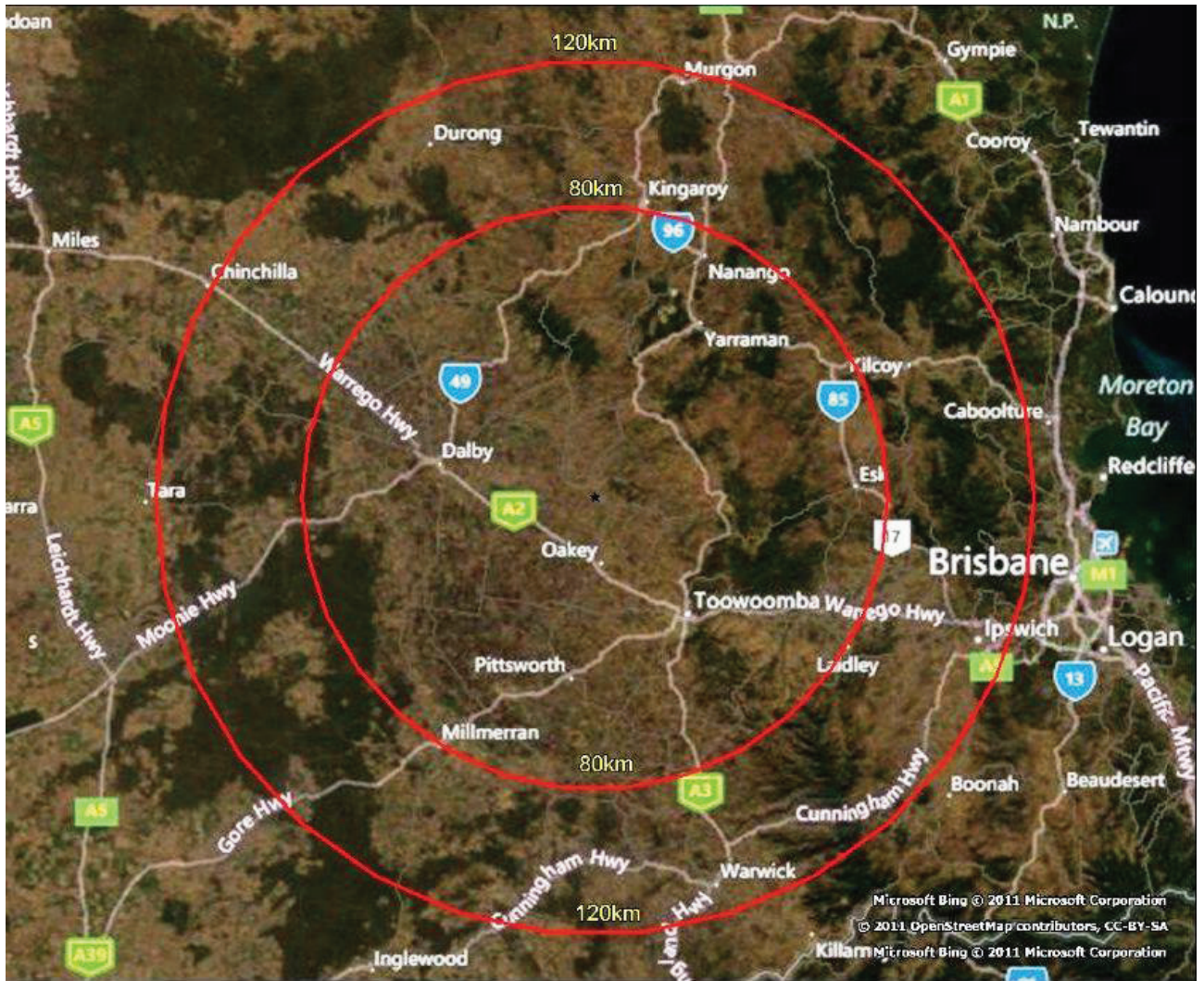
NOTE	Employee Assistance Program (EAP) – 1300 615160
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- Education Program
 - New Acland Coal will provide education programs that assist Supervisors and employees by providing information on how to manage shift work and fatigue related issues.
 - During induction, workers will be alerted to the hazards and risks associated with fatigue.
 - Fatigue education program refreshers should be delivered every 2 years.

Reference and Forms

-  QGN16 Guidance Note for Fatigue Management
 -  HSE-01-RA01 Fitness for Work – Fatigue
 -  HSE-01--FM01 – Commute Hazard Analysis
 -  HSE-01-FM02 – Contractors Exposure Hours report
- HSE-01-FM03 – Extension of Working Hours

Appendix 1 – Commute Plan Map (80 km zone)



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NEW HOPE
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**A.5 Fitness for Work –
Drug Management**





HEALTH, SAFETY AND ENVIRONMENT STANDARD

PROCESS ELEMENT 3.12.03 FITNESS FOR WORK - DRUG MANAGEMENT

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1. Policy Objectives

To create a culture whereby employees recognise the risks, to themselves and others, of attending work affected by drug misuse.

To eliminate the hazards in the workplace associated with illicit drug and medication use in a way that is consistent and fair to all persons who enter the site.



NOTICE

This Standard is subordinate to and shall be read in conjunction with Standard 3.00 – Safe People.

2. Scope

This Standard provides guidelines for the management of workplace risks associated with the use of illicit drugs, prescribed medications and over the counter medications.

This Standard is not intended to prevent people on legally prescribed medications or over the counter medications from performing their job provided the substance does not impair performance. There are provisions for the management of such medications and substances.

This Standard will apply to all employees of New Acland Coal and other persons entering New Acland Coal and its properties. It will also apply to New Acland Coal employees away from the site whilst engaged on official duties.

Contractors, Suppliers and Visitors will be subject to the same requirements as New Acland Coal employees.



NOTICE

This Standard is subordinate to and shall be read in conjunction with Standard 3.00 – Safe People.

3. Responsibility

Responsibilities relating to this Standard are provided in Primary Standard 3.00 – Safe People.

New Acland Coal is committed to being a successful, supportive and responsible company. As a responsible company, we are concerned with the short and long-term health affects of drug misuse and the resultant unnecessary risk that will result. Any person on site who is impaired by any substance will increase their risk of having an accident, this increase in risk is transferred to all people in the work group or area.

As an employer, New Acland Coal has a non-negotiable obligation to maintain our duty of care to **all** people on the mine site including contractors and visitors. This obligation will be discharged by setting standards for fitness for work, and by monitoring and enforcing these standards.

No person will be permitted to commence work or to remain on our site if, after Initial On-Site testing, they produce an Unconfirmed Result to the presence of drugs. They will be regarded as being a potential hazard to themselves and others.

Legal Obligations

- a) Legal obligations shall be met by the implementation of this procedure.
- b) Statutory obligations shall be complied with in regard to:
 - i) Coal Mining Safety and Health Regulation (2001)
Section 42 Safety and Health management system for personal fatigue and other physical and psychological impairment, and drugs
 - (1) A coal mine's safety and health management system must provide for controlling risks at the mine associated with the following –
 - (a) personal fatigue;
 - (b) other physical and psychological impairment; *Example of 'other physical or psychological impairment' – an impairment caused by stress or illness.*
 - (c) The improper use of drugs
 - (4) The system must provide for the following about drug consumption or ingestion for persons at the mine-
 - (a) an education program;
 - (b) an employee assistance program
 - (c) an obligation of a person to notify the site senior executive for the mine of the person's current use of medication that could impair the person's ability to carry out the person's duties at the mine;
 - (d) an obligation of the site senior executive to keep a record of a notification given to the site senior executive under paragraph (c).

4. Confidentiality

Confidentiality shall apply in line with the Privacy Act requirements – except where, in the interest of safety, the individual's supervisor would need to be advised of the risks should the person return to normal duties.

All testing and test results shall be handled in a confidential manner and in accordance with approved testing procedures and appropriate sections of AS 4760 : 2006 .

5. Development

5.1 Consultation

Employees and their representatives will be involved in a consultative process with the objective of reaching agreement in the development, implementation and ongoing review of this procedure.

5.2 Policy Review

This policy will be reviewed initially, 12 months after implementation and three yearly thereafter or where a major change in technology is identified. The initial review will consider all data collected on site and industry trends relating to drug misuse. Where changes to the policy are considered minor by the fully represented Safety Committee, e.g., changes to words or phrases that do not affect the assessment criteria, the policy will continue in place – where a change to the assessment criteria is made, agreement by a majority of the workforce shall be obtained.

6. Definitions

In relation to this procedure, the following definitions shall apply:

Chain of Custody

A series of procedures to account for the integrity of each oral fluid specimen by tracking its handling and storage from point of specimen collection to final disposal of the specimen.

Collection Site

A place at which the specimen collection occurs and where initial testing procedures may be conducted.

Collector

A person who has successfully completed a course of instruction for specimen collection, storage, handling and dispatch in line with the requirements of AS 4760:2006.

Confirmatory Test

An analytical procedure that uses mass spectrometry to identify and quantify unequivocally a specific drug or metabolite.

Confirmed Positive

A result above the target concentration following confirmatory testing.

Donor

A person who provides an oral fluid specimen to be assessed for the presence of drugs.

Drug

A substance that has a physiological effect on the body either itself or through its metabolite(s). The term 'drug' refers to the drug and /or its metabolite(s) for the purpose of detecting a target drug in oral fluid.

Employee Assistance Program (EAP)

New Acland Coal management maintains an Employee Assistance Program (EAP) to assist employees and their immediate families with personal and or work related problems that require specialised counselling. Procedure 03.12.05 in the Safety Health Management System.

Failed Test

A failed test is the failure to provide a specimen for testing within the timeframe set by this procedure.

Impairment

Any detrimental effect induced by an introduced substance or article, on cells or functions of cells in the human body.

Initial Testing

A valid method used to exclude the presence of a drug or class of drugs.

Laboratory

A place at which the analytical procedures are conducted.

Legal Drugs (medications)

A substance that is properly and legally provided by an authorised registered medical practitioner.

Negative Result

A result at or below the nominated or target concentration used for initial testing.

Over The Counter Medication (OTC)

OTC medication is any substance recommended by a pharmacist.

Pre engagement

Assessment conducted before a person commences employment or contract at the mine.

Prescribed Incident

A prescribed serious accident or high potential incident (as identified in section 198 of the Act and detailed in Schedules 1 and 2 of the regulations) that could have had human behavior as a contributing factor.

Random

Means testing can be done anywhere at any time on the mine site using some form of computer generator.

Substance Abuse

Defined as an illness in which a person's consumption of illicit drugs, medications or substances repeatedly interferes with the person's health and or job performance.

Unconfirmed Result

A result that requires confirmatory testing of the specimen to unequivocally determine the presence or absence of a drug.

7. Procedure

7.1 Introduction

This procedure has been developed to manage illicit drugs, prescribed medications and over the counter medications and the resulting risk. It includes the following:

- Drug prohibition
- Prescription Drug Management

- Drug Sampling and Analysis
- Refusal to Participate
- Non Conformance Procedure

7.2 Drug Sampling and Testing

New Acland Coal will use a **Collector** to undertake testing, this person will be capable of providing a Chain of Custody process to ensure the integrity of all tests undertaken and the processing of **Unconfirmed Results** sent for further analysis to the **Laboratory**. (**Appendix D**)

The testing of people (Donors) will take place in a controlled environment. The Collector will perform the process in accordance with AS 4760 : 2006 as per section 7.2.6.

A record of all testing will be maintained. These records will be kept confidential at all times.

The disposal of negative samples may be witnessed by the Donor, if requested.

The testing will be undertaken in line with the manufacturer's instructions and the AS 4760:2006.

Testing will include employees, visitors and contractors. The data gathered during these tests will influence the frequency, volume and workgroup selection of testing for the future, i.e., where a particular workgroup is identified as providing higher than the site average of non-conformance then that group will receive greater than normal frequency of testing. This information will be used to review this policy.

For major projects/contracts the Site Senior Executive may request the drug testing of a contract group and random testing of a percentage of that group.

The Donor awaiting the results will be considered not fit for work, those receiving a **Confirmed Negative** result will recover all lost time as per rostered hours,

7.2.1 When to Test for Drugs

Testing for drugs will be carried out in the following situations:

- 1) Pre-engagement
- 2) Post Incident
- 3) Challenge to Fitness
- 4) Random

7.2.2 Pre-engagement

Pre-engagement testing will occur prior to people commencing employment or contract work on the mine site. New employees will undertake testing during their pre-employment medical. Contractors undertaking a site induction for work to be performed in and about the excavation will be required to submit to a random drug test, at least 50% of those being inducted will be required to undertake the test. The only exemption to this requirement will be evidence of an accredited test undertaken in the past 12 months – this will have to be provided at the time of pre-engagement/induction.

7.2.3 Post Incident

Where a person has been involved in a Prescribed Incident, as defined, the person will be tested for the presence of drugs. This testing will be conducted within 2 hours of the incident, as per section 7.2.6. The results of the test will be supplied to the investigation team after all evidence has been gathered.

7.2.4 Challenge to Fitness

If a person exhibits signs and symptoms which may lead others to suspect them of being under the influence of, or impaired by drugs (question of **fitness for work**); that person will be tested for the presence of drugs following the requirements of this procedure, as per section 7.2.6. Refer to the flow chart in Appendix C.

7.2.5 Random

On a random basis, regular testing as per section 7.2.6, will be carried out on employees, contractors and visitors to ensure compliance with the Drug Management Procedure.

- Testing will be undertaken to at least 10% of the selected group – this group will include all people on site at the time.
- The selection process will be witnessed by a New Acland Mine employee – if a member of the Safety Committee is available at the time then that person will be the witness.
- Random testing will be carried out at anytime during the selected shift and without prior notification, but will not interrupt normal breaks.
- Testing will occur at least once per month.

7.2.6 Testing Procedure

1. On-Site Initial Testing

Testing will be carried out using an oral fluid (saliva) test on the selected people, (the donor will not be permitted any food or drink, including chewing gum, 10 minutes before testing) – Donors giving a clear result will go to work, while those providing an **Unconfirmed Result** will progress to the **Confirmatory Test**.

2. Confirmatory Test

Donors providing an **Unconfirmed Result** to the presence of drugs, as in (1) above, will not be permitted to go to work. The Donor may choose not to proceed with the Confirmatory Test and accept the oral fluid test result - this will be taken as a Confirmed Positive. Samples being forwarded to the Laboratory for the Confirmatory Test will be controlled by the Chain of Custody process.

7.3 Prescribed and Non Prescribed Medication (Over-the-Counter) or Drugs

All persons entering the mine have an obligation to advise the Site Senior Executive, through their supervisor, of any medication which may cause impairment. The supervisor is required to maintain strict confidentiality of this medical declaration. Section 42 (4) (c) of the CSMH Regulations.

Where a person has been prescribed a medication that is capable of causing impairment, they are required to inform either their supervisor or a superintendent of New Acland Coal and complete a Medical Declaration form. The supervisor shall either accept the person as 'fit for work' based on the information in the Medical Declaration or request that the person undertake a drug test.

Where a person has been taking "Over-The-Counter" medication, they will be required to complete a Medical Declaration stating the type and quantity of drug taken.

If an employee fails to provide a Medical Declaration before a random drug test is carried out and they provide an Unconfirmed Result, they will be deemed to be unfit for work.

A treating doctor's letter of support must be provided where the individual has failed to complete a Medical Declaration prior to testing – when the 'letter of support' is provided the Unconfirmed or

Confirmed Result will be negated, provided the treating doctor has supported the use of the drugs in the work environment.

The Medical Declaration form is contained within this procedure as Appendix A.

7.4 Limits (Drugs)

In accordance with the Australian Standard 4760.2006, the prescribed cut-off level for other drugs in oral fluid (saliva) is as follows:

- OPIATES 50 ng/mL (nanograms/millilitre)
- AMPHETAMINE-TYPE STIMULANTS 50 ng/mL (nanograms/millilitre)
- Δ^9 - TETRAHYDROCANNABINOL (THC) 25 ng/mL (nanograms/millilitre)
- COCAINE AND METABOLITES 50 ng/mL (nanograms/millilitre)

In addition to those listed in the standard New Acland will assess for Methamphetamine at 50 ng/mL.

Typical examples of legal drugs which may result in positive drug test results are listed in **Appendix 'E'**

7.5 Positive Test Result Management Process - Employees

New Acland Coal will aid and assist employees who are prepared to devote themselves to recognised detoxification, rehabilitation and counselling programs.

New Acland Coal is aware of the devastating cost to families, industry and the community as a result of substance abuse. With that knowledge, the following procedure will apply:

7.5.1 Unconfirmed Result

An affected person will not be permitted to commence or continue working and arrangements will be made to have the person taken home after providing an Unconfirmed Result.

7.5.2 First Confirmed Positive

The details will be recorded on their personnel file and a letter of warning issued.

The person will be required to demonstrate active participation in a recognised rehabilitation program or attend an approved drug related education program under the EAP. Refusal to participate in a recognised rehabilitation or education program shall be deemed as a second Confirmed Positive.

7.5.3 Second Confirmed Positive

On the second occasion an individual returns a Confirmed Positive within a three-year period, their employment/contract may be terminated.

7.5.4 Other conditions of response to Confirmed Positive Results

Any person who produces a Confirmed Positive to drugs:

- shall demonstrate **fitness for work** by way of a Negative Result, from an approved testing laboratory, before returning to work.
- time away from work as a result of an Unconfirmed Result or Confirmed Positive Result shall be taken as sick, annual, leave without pay or long service leave. (If the Confirmed Result is negative, any time away from work will be paid as per the normal missed wages for that person.)
- will also be required to meet with their Department Superintendent prior to recommencing work to outline a return to work agreement.
- will pay the cost of return to work tests by the Laboratory.

- will undertake regular random tests on site over the following twelve months – the timing of these tests will be at the discretion of the Safety Training Superintendent.

7.5.5 Extended Absences

In situations where an employee is off work for an extended period, the Department Superintendent (or other designated person) will be responsible for communicating with the employee on an ongoing basis.

7.6 Confirmed Positive Result Management Process – Visitors/Contractors

An affected contractor/visitor will not be allowed to commence or continue working and arrangements will be made to have them taken home after an Unconfirmed Result.

7.6.1 First Confirmed Positive

The visitor's employer or suitable contact person will be notified. The affected visitor will not be permitted back on site until such time as drug tests provides a Negative Result. Prior to returning to site, a meeting between the visitor's representative and a New Acland Coal representative will take place to discuss the appropriate course of action that will be taken.

The visitor will be required to demonstrate active participation in a recognised rehabilitation program or attend an approved drug related education program. Refusal to participate in a recognised rehabilitation or education program shall be deemed as a second Confirmed Positive result.

The visitor shall be subject to regular random tests at the discretion of the Safety Training Superintendent.

7.6.2 Second Confirmed Positive

On the second occasion a visitor returns a Confirmed Positive result within a three year period, their access to site may be terminated.

7.7 Adulteration

Adulteration will be deemed to have occurred if the sample provided by the person has had the addition of a substance either in-vivo or in-vitro, excluding those integral to the on-site collection and or testing process, which may compromise the integrity of the specimen. In such cases the Collector and or the Laboratory will notify New Acland Coal of the situation.

New Acland Coal will consider the Donor's response to the allegation and upon the basis of the evidence, the Donor's response and any mitigating circumstances will decide whether the specimen has been adulterated.

Where in the opinion of New Acland Coal the Donor is found to have adulterated the specimen they may be subject to dismissal.

7.8 Refusal to Undergo a Test

Refusal to undergo a test is considered a breach of this procedure and will be recorded as a first Confirmed Positive result and the process in this procedure will be followed as per section 7.5/7.6. Arrangements will be made to have the person taken home and will not be paid for the time away from work. If the person is to return to work, they will comply with the conditions of the Drug Management Procedure, including undergoing a drug test. Where the results are found to be Negative the person shall be permitted to commence work.

7.9 Failed Test

A Failed Test will be deemed to have occurred if upon request to provide an oral fluid sample to a Collector the person so required refuses to provide or is unable to provide a sample within 30 minutes for saliva. A Failed Test shall be considered a Confirmed Positive result and the actions outlined in 7.5 and 7.6 will be applied.

8. Communication / Training

As part of our ongoing commitment to the health and safety of all people on the mine site, we will provide education and training to all people responding to this standard. Information relating to the health and safety implications of drug abuse, employee assistance through the company and the relevant regulations that relate to this issue will be made available.

The requirements of this Standard will be effectively communicated to all employees (including contractors and visitors).

The standard and procedures will be:

- a) well publicised.
- b) included in induction and ongoing training programs.

The procedures will be reinforced on an ongoing basis through:

- a) information sessions.
- b) bench talk meetings.
- c) Safety and Health Committee activities.
- d) promotional material (booklets, leaflets).
- e) ongoing training to selected testers.

Supervisors, Employee Representatives, Superintendents and Managers will undertake necessary education and training programs to provide sufficient skill and confidence to:

- a) identify declining work performance.
- b) deal with employees impaired by drugs or other substances.
- c) co-ordinate workplace responses to EAP's.
- d) handle and manage people impaired by drugs or other substances.
- e) identify and assess persons suspected of being impaired by drugs or other substances.
- f) promote the health and well being of all employees through information and educational programs.

Education and training programs will be developed in conjunction with experts in the field of drug abuse and misuse.

9. References



Coal Mining Safety and Health Act – Qld. (1999)



Coal Mining Safety and Health Regulation – Qld. (2001)



New Acland Coal's HSE Standards.



AS 4760.2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.



Privacy Legislation.



Manufacturer's Instructions

10. Records

A confidential record shall be maintained of formal counselling, or disciplinary action taken, in relation to infringements of New Acland Coal's procedures relating to Fitness for Work.

New Acland Coal will ensure that information and records relating to any person's fitness for work in relation to drug management will only be used to decide a person's fitness for work at this mine and will be destroyed when the person:

- is an employee of a regular contractor – 18 months after ceasing to work at New Acland Mine
- is an employee of another contractor or New Acland Coal – when they cease to be employed by the contractor or New Acland Coal

(Appendix A)

MEDICAL IN CONFIDENCE ON COMPLETION

04 12 03 MEDICATION DECLARATION FORM
(Forward the completed form to the Safety Training Coordinator)

I, _____, declare that I am
 (insert name of employee)

Tick the box as applicable:

- required to take medication as prescribed by my Doctor /Specialist.
- taking over-the-counter medication.

I also declare that this medication has the following brand or generic name:

I have used this medication before YES NO

The medication could have/ has the following side effects:

I confirm that all information contained in this declaration is true and correct to the best of my knowledge.

Signed: _____ **Payroll No.** _____

Printed Name: _____

Date: ___ / ___ / ___

TO BE COMPLETED BY SUPERVISOR

I have read this declaration and I am aware of the possible side effects of the medication. Based on this information I am recommending that _____ does the following:-

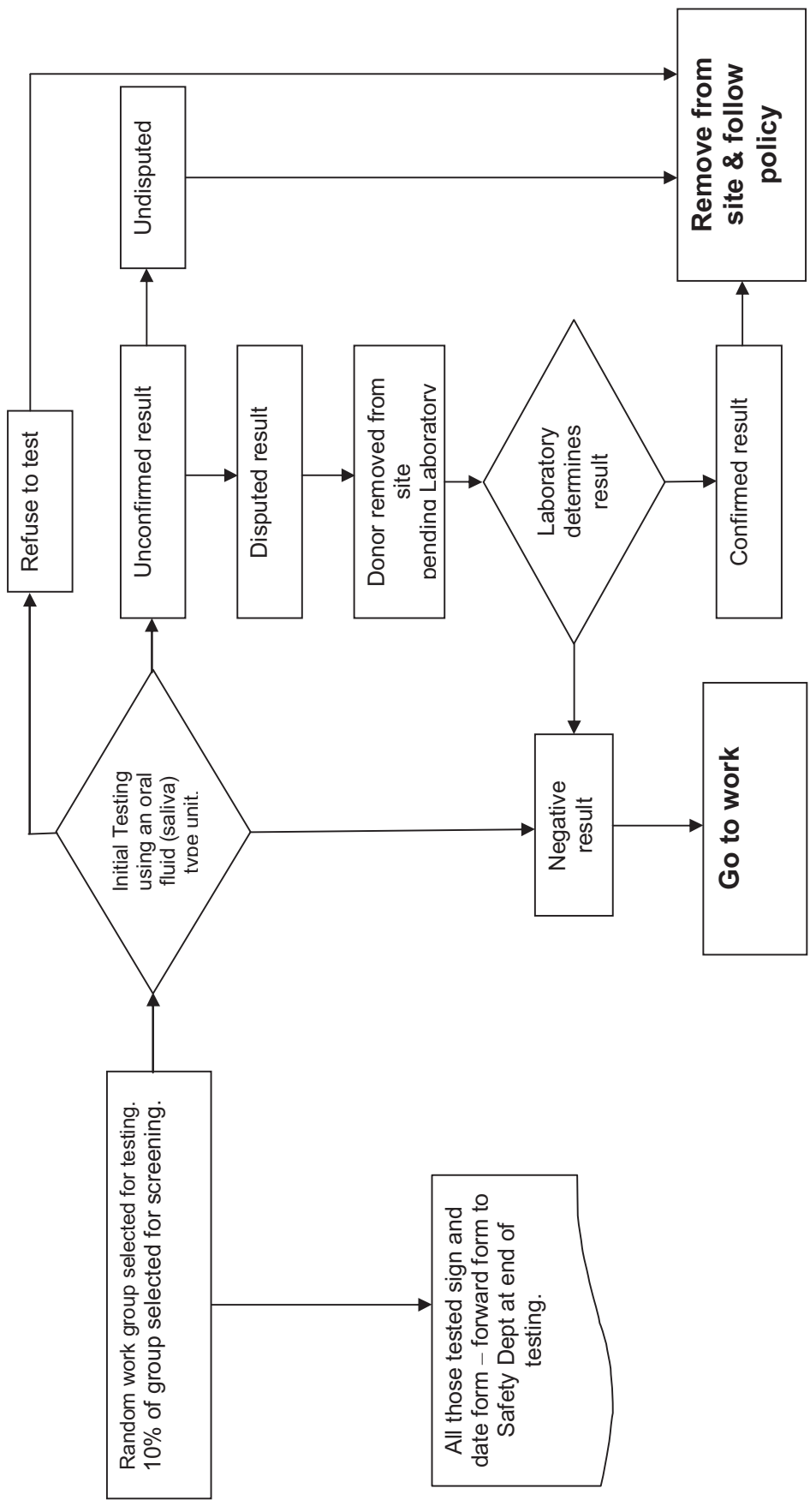
- Undertakes normal duties. Refer to NMA for advice
- Undertakes restricted duties. Takes sick or other leave.

Signed: _____ **Payroll No.** _____

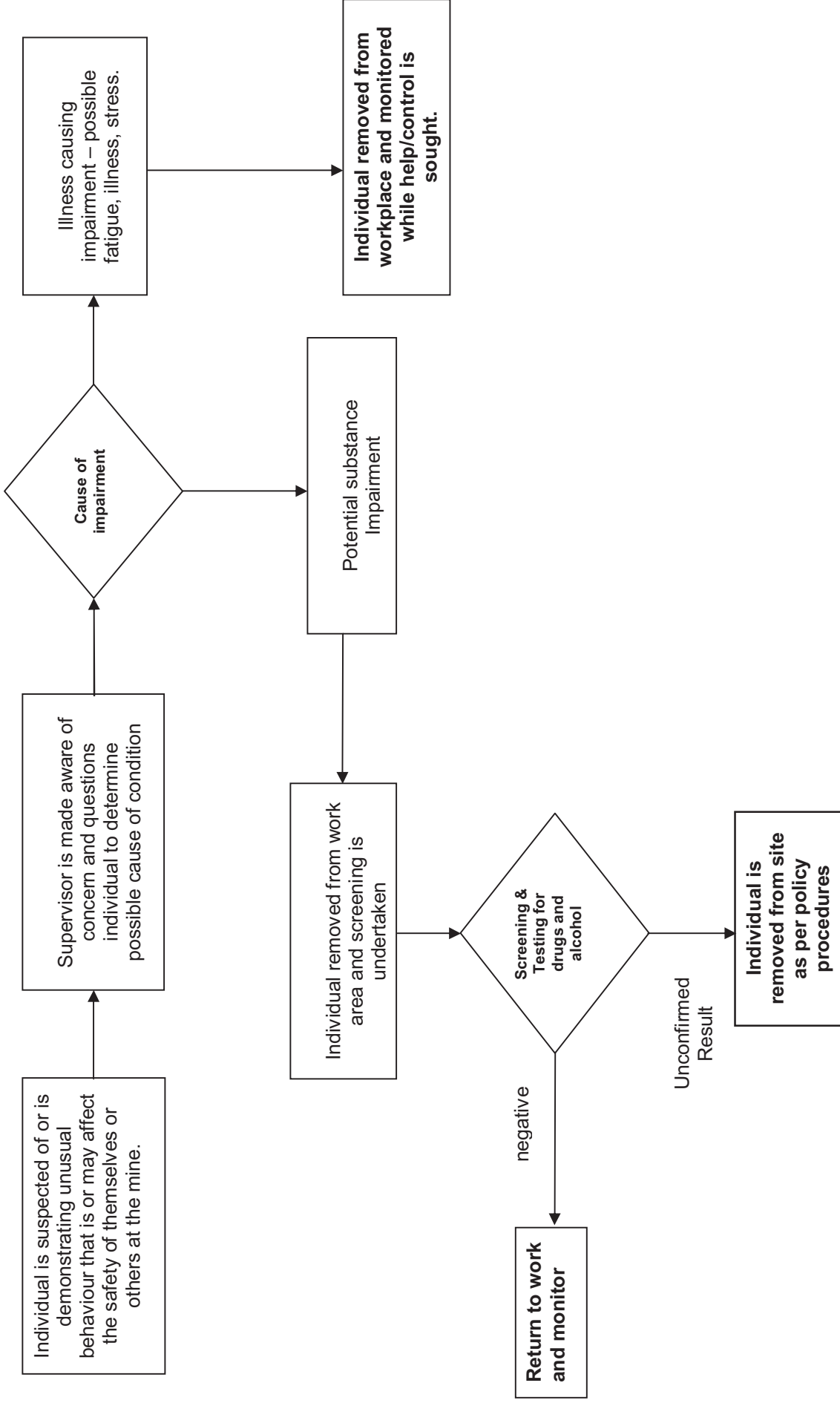
Printed Name: _____

Date: ___ / ___ / ___

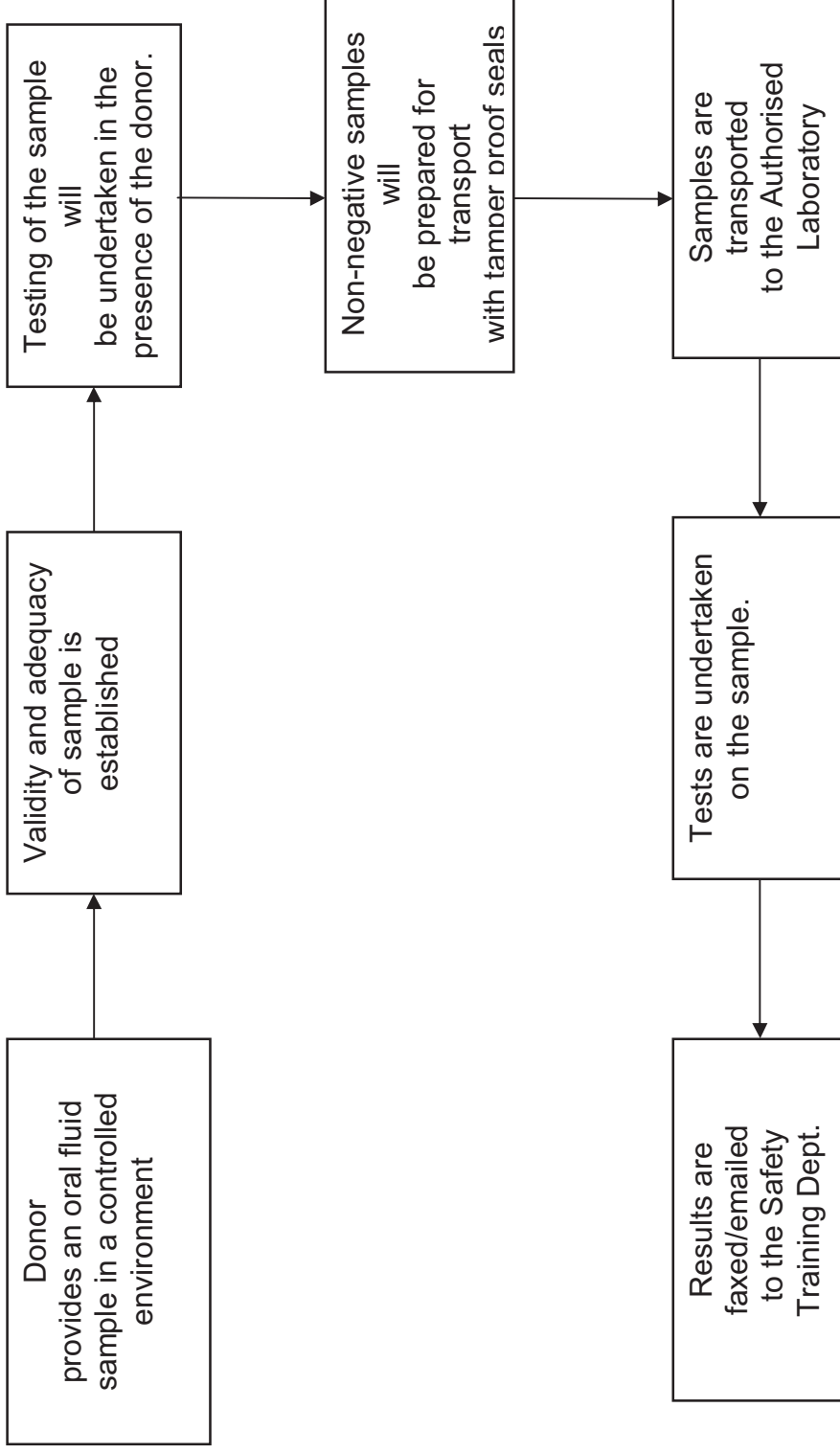
RANDOM DRUG TESTING APPENDIX B



CHALLENGE to FITNESS - TESTING APPENDIX C



APPENDIX D – CHAIN OF CUSTODY



OVER THE COUNTER MEDICATIONS THAT CAN AFFECT DRUG TEST RESULTS

AVIL
BENADRYL ORIGINAL/NIGHTTIME
BISOLVIN SINUS/DRY
CO COLD & FLU TABS DAY
CO COLD & FLU D/N
CO SINUS & PAIN
CO SINUS,PAIN & ALLERGY
CO ANALGESIC CALMATIVE
CO STRONG PAIN
CO COLD & ALLERGY LIQUID
CO DRY TICKLY COUGH
CO CHESTY MUCUS
C/O EXPECTALIX
C/O CHESTY COUGH
C/O DRY RASPY COUGH
C/O COUGH SUPPRESSANT
C/O DIFENACOL
C/O COLD & FLU TABS DAY
C/O COLDEZE
C/O PAIN TABSULES
C/O SINUS RELIEF
CODRAL PAIN RELIEF
DEMAZIN CLEAR SYRUP
DEMAZIN SYRUP
DEMAZIN TABLETS
DIMETAPP DM COLD & COUGH
DIMETAPP COLD & COUGH FLU D/N
DIMETAPP COLD & FLU LIQUID CAP
DIMETAPP ELIXIR
DIFFLAM COUGH LOZENGES
DOLASED DAY/NIGHT PAIN RELIEF
DOZILE
DRAMAMINE
DURO-TUSS REG/FORTE
DUR-TUSS DECONGESTANT
DURO-TUSS EXPECTORANT
DURO-TUSS S/F COUGH LOZENGES

LOMOTIL
MERSYNDOL
NAPHCON A EYE DROPS
NUROFEN PLUS
NUROFEN COLD & FLU
PANAFEN PLUS
PANADEINE 15
PANADOL COLD & FLU
PANADOL RAPID SOLUBLE
PANADEINE CAP/TABS
PAINSTOP NIGHT-TIME
PAINSTOP DAY-TIME
PANADOL COLD/FLU
PANADOL SINUS DAY/NIGHT
PANALGESIC
PERIACTIN
PHENERGAN
POLARAMINE
RESTAVIT
RIKODEINE
SINUTAB SINUS/ALL & PAIN
SINUTAB SINUS/PAIN
SUDAFED SINUS & ALLERGY
SUDAFED SINUS DAY/NIGHT
SUDAFED SINUS & ANTI-INF
UNISOM
ZYRTEC

**A DETAILED LIST OF PRESCRIPTION - NON PRESCRIPTION
DRUGS THAT MAY IMPAIR AN EMPLOYEES ABILITY TO
PERFORM THEIR DUTIES SAFELY**

NERVOUS SYSTEM

Analgesics
Codate
Codeine Linctus
Codeine Syrup
Fentanyl
Fortal
Morphaigin
Morphine Mixture
Morphine Sulphate Injection
Omnopon
Omnopon Scopolamine Palfium
Percodan
Pethidine
Phseptone
Sublimaze
Temgesic Analgesics and Antipyretics
Capadex
Codalgin
Codinal Tablets
Codiphen
Codis
Codox
Codral Forte
Codral Pain Relief
Cyclopene
Decrin
Di-Gesic
Dimatab Cold Tablets
Doloxene
Endone
Florinal
Mersyndol
Mersyndol Forte
Nembudeine
Panadeine
Panadeine Forte
Panalgesic
Panamax Co
Paralgin
Pentalgin
Solocode
Sudagesic
Veganin

RESPIRATORY SYSTEM

Orthoxicol Expectorant
Sudafed
Sudated 12h Expectorants and Gold
Suppressants Acta-Code
Allerg-Eze
Avil
Avil
Benadryl Elixir
Benadryl Cold and Flu Tablets
Benadryl Cough Medicine
Benatuss
Benyphed
Bronchitis Mixture with Creosote
Codral Cold and Flu Tablets
Codral Linctus
Cold and Flu Tablets
Contac
Delixir
Demazin Repetabs
Demazin Tablets
Demazin Syrup
Dimacol
Dimetapp
Drixine Expectorant
Drixora
Duro-Truss
Decongestant
Headclear
Non-Diophen
Nucosef
Orthoxicol Cold and Flu Taps
Orthoxicol Syrup
Orthoxicol Cold suppressant for
Children
Orthoxicol Expectorant with
Antihistamine
Panadol Sinus Relief
Paracodine
Pertussin
Pharma-Col
Phensedyl
Pholcodine Linctus
Polaramine Tablets

Polaramine Syrup
Rikodeine
Robitussin
Sigma Relief Cold Tablets
Sinutab
Sinuzets Forte Hayfever Capsules
Sinuzets Cold and Flu Tablets
Sudafed 12h
Sudgesic
Tuscodin Lozenges
Tussinol
Tusselix
Vicks Decongestant
Vicks Nyquill
Viscoat

ALLERGIC REACTIONS

Antihistamine Preparation
Actified
Actified CC
Aller-G
Allercat
Ancolian
Andrumin
Atarax
Avil
Benacine
Benadryl Elixir
Benyphed
Demazine Repetabs
Demazin Tablets
Dilosyn
Dinetane
Dimetapp
Dramamine
Fabahistin
Histalert
Med-Tab Hayfever Tablets
Periactin
Polaramine Tablets
Polaramine Syrup
Promethazine
Prothazine
Sinuzets Forte Hayfever Capsules
Sudagesic
Tavagyl
Zadine

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NEW HOPE
GROUP

A.6 Fitness for Work – Physical and Psychological Impairment





HEALTH, SAFETY AND ENVIRONMENT STANDARD

03.12.04 – FITNESS FOR WORK – PHYSICAL and PSYCHOLOGICAL IMPAIRMENT

CMS&H Reg. Section 42

New Acland Coal Pty Ltd

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1. PURPOSE

This procedure provides the protocols for the identification and management of risk to coal mine workers, posed by physical and psychological impairment. The protocols are intended to provide a timely process that recognises and respects the rights of the individual.

These protocols have been developed pursuant to the provisions and requirements of the CSMHR 2001 and are for the express and sole purpose of controlling risks at New Acland Mine associated with physical and psychological impairment.

It is not an objective of these protocols to provide a performance assessment of an individual or to restrict an individual's ongoing employment, however it is recognised that the latter may be a possible outcome. Any use of the protocols for other purposes or misuse or misapplication of the protocols is a breach of the protocols and will be dealt with in accordance with the law.

2. SCOPE

This procedure applies to all coal mine workers at New Acland Mine.

Elements of this procedure that relate to employment conditions including payment of wages, use of leave, payment for medical assessments/attendance at an Employee Assistance Program and exploring transfers into other roles apply only to New Acland Mine employees.

This procedure is applicable to work related and non-work related injuries/illnesses.

3. PROCEDURE

3.1 PREVENTION OF PHYSICAL OR PSYCHOLOGICAL IMPAIRMENT

It is recognised that physical and psychological illnesses and injuries may be prevented.

It is also recognised that a worker with a physical or psychological illness or injury is not necessarily impaired.

The following programs or actions (which may be covered in other elements of the New Acland Mine Safety Health & Environment Management System) will assist in preventing injuries and illnesses from occurring in the first place and in preventing an injury or illness from becoming an impairment:

- Pre - employment medicals and 5 yearly health assessments,
- Induction programs, health and well being education programs,
- Health programs eg. Quit,
- Provision of preventative or remedial items on medical recommendation eg. back braces,
- Safety training courses eg manual handling,
- Employee Assistance Program (EAP) (see section 3.5)
- Employee workplace rehabilitation (03 13 Workplace Rehabilitation.)

3.2 IDENTIFICATION OF PHYSICAL OR PSYCHOLOGICAL IMPAIRMENT

A worker may be identified as possibly having a physical or psychological impairment in one of the following ways:

- presentation of a medical certificate which expressly indicates the presence of a physical or psychological impairment;
- a return to work following an absence due to illness or injury that is not accompanied by an unrestricted clearance for work from the worker's Treating Medical Practitioner;
- obvious physical signs and symptoms that are unable to be explained by other than being a physical or psychological impairment eg:
 - shortness of breath on routine tasks;
 - unusually high level of sweating, pale skin tones;
 - chest pains, numbness in limbs;
 - inability to focus or failing vision;
 - acrophobia (fear of height) or balance problems;
 - incoherent speech;
 - uncontrollable shaking.
- obvious abnormal actions, speech or behaviours that are out of character, are irrational or provide a cause for concern for the safety of that individual or other coal mine workers that is unable to be explained by other than being a physical or psychological impairment eg:
 - Open talk of personal harm or suicide
- the individual or other coal mine worker reports the existence or possible existence of a physical or psychological impairment

3.3 MANAGEMENT OF PHYSIOLOGICAL OR PSYCHOLOGICAL IMPAIRMENT

3.3.1 IMMEDIATE MANAGEMENT OF CONCERN

In the event that an individual believes they may have a physical or psychological impairment, the individual will refrain from undertaking their duties or task and notify their supervisor in accordance with their obligations under the CMSHA.

Where a coal mine worker has a justifiable concern that another coal mine worker may have a physical or psychological impairment, that immediately exposes the worker or others to an unacceptable level of risk, the worker must take all reasonable and necessary steps to ensure no one is exposed to an unacceptable level of risk

3.3.2 CONFIRMING CONCERNS

Concerns associated with physical and psychological impairment should be raised with the Supervisor who will investigate and verify the reasons for the concern, and if the concern is validated, initiate notification to the Department Superintendent and Site Senior Executive (SSE) in accordance with Appendix A.

The Department Superintendent and SSE will investigate and verify the reasons for the concern by confirming they were based on signs, symptoms or behaviours and if satisfied of the genuineness of the concern, will conduct a discussion with the individual in an endeavour to further confirm or remove the concern. The individual may choose to have a workplace representative or other representative present at these discussions.

If the Department Superintendent and SSE remains satisfied that there is a genuine concern the SSE will detail the concern and the reasons for the concern/s in writing using Appendix B – Pro-Forma Letter of Concern SSE to Individual. The completed form will be given to the individual and the Safety Training Superintendent.

3.3.3 TREATING MEDICAL PRACTITIONER (TMP) ASSESSMENT

The SSE will decide whether this matter progresses further and if so, the Safety Training Superintendent will, with the involvement of the individual, arrange for the individual to attend their TMP as soon as practicable for a medical confirmation assessment and the individual will attend the assessment.

The following information relating to the specific concerns may be forwarded to the TMP prior to the appointment date or after the initial assessment:

- a. Pro-Forma cover letter SSE to TMP – Appendix C;
- b. Completed Appendix B Form including reference to the existence of relevant medical information;
- c. An offer for the TMP to inspect the relevant aspects of the operation;
- d. Detailed description of the worker's duties, tasks and the working environment. These descriptions will be reviewed, with input provided by another mineworker currently performing similar duties and tasks and a member of the Safety Committee prior to sending.
- e. Video/other material displaying mining tasks and the environment;

The TMP will assess the individual, and may refer the individual to a relevant medical specialist for examination and input into the assessment. The TMP may also direct the employee to another appropriate health professional and/or direct the individual to undergo other medical tests if required.

The TMP, using the relevant medical specialist report and appropriate health professional, or other test results where relevant, will complete the assessment and detail their findings using Appendix D – Pro-Forma Medical Report Letter – TMP to SSE & Individual. This is provided to the SSE and the individual.

The criteria for the assessment will be whether the coal mine worker is able to undertake their duties and tasks at an acceptable level of risk to themselves or others.

Where the SSE or the worker is of the view that the information from the TMP is unclear, in relation to the coal mine worker's ability to undertake their duties and tasks at an acceptable level of risk to themselves or others and the restrictions set down, the SSE or the individual may write to the TMP, and/or hold a discussion with the TMP (provided the worker has been provided with the opportunity to participate), specifying what the lack

of clarity is and seeking clarification. The TMP will be requested to provide a detailed written response, addressing all issues raised, to the SSE and the worker. The clarification and response is to be in consideration to the likelihood of the worker being able to undertake his/her duties and tasks at an acceptable level of risk to themselves and others. The restrictions, not the illness or injury, will be the focus of the response.



NOTICE

Under no circumstances are medical practitioners to provide or the SSE to request medical information unless in the presence of the worker concerned and with their written consent. This does not limit discussions by the company with the TMP or RMS in relation to restrictions or limitations that apply to a worker.

3.3.4 ASSESSMENT RESULTS AND ACTIONS

Following completion of the assessment, a meeting involving the worker, their workplace representative if requested, the Department Superintendent, and the SSE will be held to discuss the report and explore options for the future. The options explored will include, but will not be limited to, returning to normal duties, retraining and transfers to other available roles within the worker's skills and capacity.

3.4 CONDITIONS APPLYING DURING MANAGEMENT PROCESS

The following conditions will apply while the steps outlined in clause 3.3 above are undertaken.

1. Where applicable, employees will be invited to participate in the Employee Assistance Program.
2. To the extent that the concerns regarding impairment allow, the worker may be directed to undertake alternative duties or to remain away from work at the SSE's determination, based on the risk to the worker and other workers, until a medical assessment is undertaken. Prior to the SSE determination in this area, there will be a discussion between the SSE, the individual and their representative if requested.
3. Where required, the Supervisor should arrange for the worker to be transported from site.
4. Employees identified as potentially being impaired and have been directed by the SSE not to report for duty, will not be disadvantaged while progressing through the steps outlined in clause 3.3.
5. This paid leave will cease if the worker does not co-operate in the process eg. not attending scheduled appointments.
6. The Company will pay for the TMP assessment, referral to the RMS (Relevant Medical Specialist), testing, examinations and health professional services associated with and prior to the issuing of the Appendix D report and any clarification requested by the SSE or the employee from the TMP.
7. The Company will not undertake any discussions with the TMP or the RMS regarding the individual's medical condition unless with written consent from the individual for the discussions to take place and only in the presence of the individual. This does not limit discussions by the company with the TMP or RMS in relation to restrictions or limitations that apply to an individual.

8. The Company will undertake discussions with the TMP regarding the worker's role, duties or tasks, and any restrictions or conditions in the workplace, in the presence of the worker, or with the worker's consent or where the worker has been provided with the opportunity, but declined, to participate in the discussions.
9. All information provided to the Company by the TMP, other health professionals or the RMS will be provided to the worker.
10. Confidentiality in accordance with Section 43 QCMS&HR must be observed.

3.5 EMPLOYEE ASSISTANCE PROGRAM

New Acland Coal has an 'Employee Assistance Program' in place. This Program offers independent and professional services for those requiring further education or personal assistance in the area of physical or psychological impairment. The use of the program is at New Acland Coal's expense and is a confidential service.

Where an employee has been determined as having physical or psychological impairment, their Supervisor should make the employee aware of the assistance that can be provided by accessing the Employee Assistance Program. Attending the EAP may be included in a person's action plan developed as a result of certain forms of impairment.

Information with regard to all aspects of this program may be gained by contacting the Safety Training Superintendent, the employee's Supervisor or the Site Safety and Health Representatives.

Where contractors have been identified as potentially physically or psychologically impaired, the Contract Holder shall advise them to seek professional assistance in the relevant area.

3.6 EDUCATION / AWARENESS AND TRAINING

Education programs and information regarding physical and psychological impairment will be provided to all coal mine workers at induction and periodically during their employment. The education/awareness programs will include:

- the facts and issues relating to physical and psychological impairment and its effect on safety and work performance,
- how to recognise the signs and symptoms associated with physical and psychological impairment.
- the assistance that is available in this area including the Employee Assistance Program and how to access it, and
- the content of this procedure.

Where, as a result of any such education, employees require further information or assistance, they may do so by accessing the Employee Assistance Program.

Contractor Inductions will, as a minimum, highlight the content of this procedure that is relevant.

Contracting companies will be encouraged to provide their employees with further education in the area of physical and psychological impairment.

Supervisors shall be provided with information from suitably qualified practitioners and training in the recognition and management of personnel with physical and psychological impairment.

4. DEFINITIONS

COAL MINE WORKER – individual who carries out work at a coal mine and includes employees and contractors in accordance with Schedule 3 of the Coal Mining Safety and Health Act 1999.

CONCERN – A concern that there is or may be an unacceptable level of risk.

CONSULTATION - discussion between the site senior executive, superintendents or supervisors and affected coal mine workers about a matter with the aim of reaching agreement about the matter.

DUTIES – an individual's allocated tasks that in some instances require a competency eg Haul Truck Operator.

PHYSICAL AND PSYCHOLOGICAL IMPAIRMENT – A physical or psychological illness, injury or other condition, other than those associated with alcohol, improper use of drugs or fatigue, that impairs an individual's function and the impaired function causes that individual to be unable, wholly or partly, to carry out the duties for which they are employed, or tasks to which they are assigned, at an acceptable level of risk to themselves or others.

ROLE – The individual position held at New Acland Mine. e.g., Production Worker.

SSE – Site Senior Executive

SUPERVISOR – the person an employee, contractor or visitor reports to on site.

TASK – The necessary components that constitute a duty e.g., fuelling a truck

RMS – "Relevant Medical Specialist". means a specialist under the Medical Act 1939 for a branch of medicine that is relevant to the worker's condition.

TMP – "Treating Medical Practitioner". A legally qualified medical practitioner, who holds qualifications and practices as a medical doctor, chosen by the coal mine worker as their regular doctor or the doctor who has been treating the condition causing the impairment.

Company NMA – Nominated Medical Advisor appointed in writing by the operator of the mine and is responsible for advising the company on medical matters.

QCMS&HR – Queensland Coal Mining Safety & Health Regulations

5. RESPONSIBILITIES

Site Senior Executive (SSE)	<p>Provide the resources necessary to effectively implement this procedure. Investigate and decide whether concerns regarding impairment are valid. Decide when medical assessments are required to be undertaken, completing the necessary paperwork to individual and TMP. Consider and decide appropriate duties, or direct individuals to remain away from work, during the management process. Consider and decide if clarification of medical assessments are required. Where impairment is confirmed by medical assessment taking appropriate action in accordance with the provisions of this procedure Direct that an employee is not fit for duty if the employee does not comply with the provisions of this procedure</p>
Safety Training Superintendent	<p>Develop the systems necessary to effectively implement all elements of this procedure. Organise medical assessments and reviews in conjunction with the employee. Review and address any emerging issues, technology and standards with respect to physical and psychological impairment in the workplace and maintain this procedure accordingly. Include impairment education/awareness programs in induction and periodically throughout employment. Maintain an effective Employee Assistance Program that provides assistance for the matters covered within this document.</p>
Department Superintendent	<p>Investigate and decide whether concerns regarding impairment are valid.</p>
Supervisors	<p>Investigate and decide whether concerns regarding impairment are valid, and if so, notify the Department Superintendent.</p>
Safety Committee	<p>Assist to increase employee awareness of their obligations and other elements under this procedure. Provide support and assistance to employees who request representation during the processes under this procedure. Raise with management any comments or improvement ideas raised by employees with respect to this procedure. Participate in reviews of this procedure as required from time to time in accordance with Section 7.</p>

<p>All Coal Mine Workers and Visitors</p>	<p>Notify their Supervisor if they have a genuine concern that they are or another person is physically or psychologically impaired. Seek assistance where necessary in the event of personal impairment. Co operate in organising and attending medical assessments and reviews to ensure compliance with the provisions of this procedure Understand and comply with the provisions of this procedure. (see s39 1(a) of the CMSHA) Comply with the provisions of this procedure otherwise be deemed 'not fit for duty' by the SSE</p>
--	---

6. REFERENCES



Coal Mining Safety and Health Act – Qld. (1999)



Coal Mining Safety and Health Regulation – Qld. (2001)



New Acland Mine – Safety Health & Environment Management System

7. RECORDS and REVIEW

Records relating to this standard shall be maintained in accordance with our SHEMS Standard 14.00 – Records Management.

This procedure will be reviewed by a cross section of the workforce as required to take account of advancements in technology, community standards, legislation or other emerging issues with respect to the effects, identification and management of physical or psychological impairment in the workplace.

Appendix A – PRO-FORMA LETTER OF CONCERN

CONFIDENTIAL

To the Department Superintendent and SSE
New Acland Coal

From: (Supervisor)

I would like to raise a concern relating to a coal mine worker at New Acland Mine that has been brought to my attention. The concern has been raised under section 39(1)(b) and section 39(1)(c) of the Coal Mining Safety and Health Act 1999, and in accordance with the Process Element 03.12.04 Fitness for Work –Physical and Psychological Impairment.

The concern was raised with me by..... in the following manner:

I have investigated the concern and I submit the following specific information that leads me to raise the concern:

In formally raising these concerns I confirm that the information is accurate to the best of my knowledge and I have highlighted with the person who raised the concern the consequences of disciplinary action for raising frivolous or misleading allegations.

Name:

Signature:

Date: / /

Appendix B – **PRO-FORMA LETTER OF CONCERN - SSE TO INDIVIDUAL**

Dear xxxx

I was made aware, in the following manner, of a concern regarding your fitness to undertake your role at an acceptable level of risk:

I confirmed, in the following manner, that the concern regarding your fitness to undertake your role at an acceptable level of risk, was genuine.

I discussed these issues with you on / / .

As a result of the above, I have the following specific concerns.

As a result of these concerns I am not satisfied that you are able to perform the following tasks at an acceptable level of risk:

Under the New Acland Mine Safety, Health and Environment Management System you are now required to undergo a medical assessment in accordance with the Process Element 03.12.04 - Fitness for Work - Physical and Psychological Impairment. This medical assessment will be used to:

- Confirm or remove the concerns outlined above
- Detail any restrictions or conditions under which you can undertake your role
- Provide information to ensure that you only undertake tasks at an acceptable level of risk.

I advise that there will be no loss of earnings while this process is undertaken and you are:

- Not required to attend work;
- Required to attend work with the following interim restrictions and/or conditions;

Please contact the Safety Training Superintendent and provide him with the contact details of the doctor you wish to undertake this assessment. The Safety Training Superintendent will organise the appointment on your behalf and advise you of the necessary details as soon as these are known.

Please call me should you wish to discuss any of the above.

Yours faithfully,

Site Senior Executive
New Acland Mine.

Appendix C – PRO-FORMA LETTER FROM SSE TO TMP

Dear Doctor

I am obligated under the Coal Mining Safety and Health Act 1999 to ensure that coal mine workers at the New Acland Mine undertake their duties at an acceptable level of risk to themselves and to other coal mine workers. I have concerns that _____ may constitute an unacceptable level of risk at the mine. In a letter dated ___/___/___ I have outlined my specific concerns to _____, a copy of that letter is attached. In accordance with the New Acland Mine Safety Health & Environment Management System, _____ has nominated you as his/her Treating Medical Practitioner to determine whether he/she is able to undertake each of the tasks mentioned in the attached letter at an acceptable level of risk to themselves and others.

To assist you in making such an assessment, in addition to the letter detailing my specific concerns, I have enclosed relevant information in relation to the working environment at the mine and the employee's role. Should you require any additional information in relation to the working environment at the mine (including an inspection of any specific location) or clarification or explanation of _____'s tasks, please let me know in writing. It is a requirement of the Safety Health and Environment Management System that (unless he/she agrees otherwise) _____ and his/her workplace representative (if nominated) will participate in any such discussions (or inspections, etc) between yourself and New Acland Mine management.

I request that you also refer _____ to a relevant medical specialist to provide input into your assessment. A New Acland Coal Representative, in _____ presence (unless he agrees otherwise) will make the appointment with the specialist. It is open to you to make an interim assessment allowing _____ to attend work (with any necessary restrictions) pending your receipt of the report from the specialist.

Should you form the view that it would constitute an unacceptable level of risk for _____ to perform the mentioned tasks, could you please include in your assessment, ways (if there are any) in which _____ level of risk at the mine would become acceptable. For example, _____ may be restricted from performing some of his tasks at the mine. The acceptable level of risk may also be conditional upon _____, for example, taking medication or wearing glasses, etc.

Lastly, I attach a pro-forma assessment letter. The pro-forma is provided because it has been agreed with the New Acland Mine workforce. Use of the agreed pro-forma is likely to reduce the risk of any conflict arising at the mine over your assessment.

Thank you for your assistance.

Yours truly,

Site Senior Executive
New Acland Mine

Appendix D – PRO-FORMA MEDICAL REPORT LETTER FROM TMP TO SSE & INDIVIDUAL

Mr xxxx
Site Senior Executive
New Acland Mine

Dear Sir

I have assessed _____ in order to determine the level of risk to himself and others at New Acland Mine. In doing so, amongst other things, I have relied on your advice as to the tasks performed by _____ at the mine as well as my discussions with and examination of _____. I have also relied on the advice of Dr _____ a medical specialist in the field of _____.

It is my assessment that _____:

Is able to undertake the tasks referred to above without restriction. (If selected no further information required)

is able to undertake the tasks referred to above with the following conditions applied (TMP to provide details of conditions - glasses, medication etc)

.....
.....
.....
.....

is able to undertake the tasks referred to above in a limited capacity with the following restrictions applied (TMP to provide details of restrictions)

.....
.....
.....
.....

is unable to undertake the tasks referred to above for a period of approximately _____.

Is unable to undertake the tasks permanently.

I have attached further comments with regard to the specific concerns raised about limitations and restrictions.

Yours truly,

Treating Medical Practitioner.

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NEW HOPE
GROUP

A.7 Employee Assistance Program





HEALTH, SAFETY AND ENVIRONMENT STANDARD

Element – 03.12.05
EMPLOYEE ASSISTANCE PROGRAM
(EAP)

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1. Policy

New Acland Coal provides free, confidential and professional assistance to employees and to other persons whose care is substantially the responsibility of the employee, through the Employee Assistance Programme (EAP).

The service provider who currently offers the program on behalf of the New Acland Coal is The Health Advantage located in St Andrews Hospital, Toowoomba.

2. Objectives

The Employee Assistance Program provides confidential and professional assistance for employees, and to other persons whose care is substantially the responsibility of the employee, who are experiencing difficulties of a personal or work-related nature. The EAP provides assistance for issues such as:

- difficulties in relationships with work colleagues
- harassment
- stress related to work
- alcohol and substance misuse
- relationships and family issues
- emotional stress
- concerns about children
- grief and bereavement
- stress related to health and lifestyle issues
- stress related to trauma and critical incidents

New Acland Coal provides this service in order to promote a satisfying, safe and healthy work environment.

Staff, and as necessary, other persons whose care is the substantial responsibility of the employee, are entitled to access the program.

3. Services

The service provider's role is to provide a short term intervention service and if necessary arrange medium to long term care and assistance. New Acland Coal will provide up to 3 sessions with the service provider. Further sessions may be made available upon a request to New Acland Coal from the service provider or the service provider will arrange a referral for appropriate medium to long term care as required. The current service provider is 'The Health Advantage' and can be contacted 07 46314136.

4. Procedures

SELF-REFERRAL

A New Acland Coal employee or a person whose care is the substantial responsibility of the employee may contact the service provider directly and arrange an appointment when there are issues to be discussed in a private and confidential setting without anyone at New Acland Mine being involved. This is the typical way of accessing the EAP.

SUGGESTED REFERRAL

A superintendent or supervisor may inform a staff member of the services provided by the EAP and suggest that the employee may benefit from using these services.

TRAUMA OR CRITICAL INCIDENT

A superintendent or supervisor should be aware of the possible emotional impact of a work-related trauma or critical incident and referral options available to employees and inform any employer of these options after a work related trauma or critical incident.

SPECIALIST AND LONGER TERM ASSISTANCE

A person using the EAP may be referred by the service provider where the problem is such that further professional help of a specialist or longer term nature is considered desirable. The service provider may, upon referral to the specialist provider, liaise with them and continue to act as point of contact for the specialist provider. It should be noted that New Acland Coal may not necessarily meet the cost for such additional specialist services.

5. Attendance

EAP services are available during work time and after hours.

New Acland Coal expects that supervisors would be supportive of employees wishing to use the EAP and where practicable, provide flexibility for the employee to attend during work time.

6. Confidentiality

Persons who utilise the EAP are assured that discussions with the service provider will remain confidential. Employees may decide that it will assist them if their supervisor is informed about their situation and how it is affecting their work. In such a case the employee must give specific direction and written permission to the service provider for a specified person to be contacted.

7. Contacts

New Acland Coal employees familiar with the EAP and available for further advice include: Greg Biggs and Jim Fuller.

8. Review of Policy

New Acland Coal's Safety and Training Department is responsible for reviewing this policy periodically and reviewing the contract with the service provider.

9. Records

Records relating to this standard shall be maintained in accordance with our Element **14.00 – Records Management**.



NEW HOPE
GROUP

A.8 Smoking





HEALTH, SAFETY AND ENVIRONMENT STANDARD

PROCESS ELEMENT 03.12.06

SMOKING

(SWP)

1. PURPOSE

To establish and maintain guidelines for smokers and those affected by passive tobacco smoke and to ensure all employees, contractors and visitors are reasonably protected against the hazards associated with passive smoking.

To educate our employees, contractors and visitors to ensure understanding and compliance with this procedure.

2. SCOPE

This Standard provides guidelines for people desiring to smoke on the New Acland Coal mine site and guidance for non-smokers potentially affected by tobacco smoke.

3. PROCEDURE

3.1 General

Health Effects of Smoking

Tobacco smoking is the single most preventable cause of ill health and death, being a major risk factor for coronary heart disease, stroke, peripheral vascular disease, cancer and a variety of other diseases and conditions.

It is responsible for around 80% of all lung cancer deaths and 20% of all cancer deaths. Smoking has also been linked to cancers of the mouth, bladder, kidney, stomach and cervix, among others. Smokers are also at increased risk of having reduced lung function from chronic obstructive pulmonary disease. Using tobacco has been linked to a variety of other conditions, such as diabetes, peptic ulcers, some vision problems, and back pain. Smoking in pregnancy can lead to miscarriage, stillbirth or premature birth.

Passive Smoking

A review of the evidence on the health effects of passive smoking showed that passive smoking causes respiratory illness in children and lung cancer in adults and contributes to the symptoms of asthma in children. The review also estimated that the risk of heart attack or death from coronary heart disease was 24% higher in non-smokers living with a smoker

Damage to Air Conditioning Systems

Cigarette smoke will damage components of air conditioning systems, including filters and evaporators. The smoke impinges on the components with replacement the only option as the smell can not be removed.

3.2 Mandatory

Employees, including contractors and visitors have an obligation to comply with this procedure, other state legislation and community standards.

- **Buildings** – A building is any structure with a roof and is enclosed or partially enclosed by walls (verandas and covered areas are part of the structure). Smoking is prohibited inside and

4 metres from any entrance to buildings on the mine site. This includes the workshops, surrounding apron and storage areas, the CHPP structure and surrounding storage areas.

- **Vehicles & Mobile Equipment** – smoking is prohibited inside all vehicle cabins, including contractor vehicles/machines.
- **People** – smoking is prohibited where food is served or consumed and where the smoker may affect the breathing zone of another person or the smoke may enter a building (doors and air conditioning fresh air intakes) or vehicle cabins.
- **Breathing Zone** – the breathing zone is considered to be 2 metres around any non-smoker.
- **Disposal of cigarette butts and matches** – all people on site have an obligation to dispose of sources of ignition. Containers are provided at various Smoking Permitted Locations around the mine site. These must be utilised - cigarette butt litter will not be tolerated.
- **Fuel Storage Facilities** – no smoking within **10 metres** of fuel or oil storage facilities, as per signage in these areas.
- **Blast Areas** – no smoking or ignition sources within **10 metres** of the blast area.
- **Permitted Smoking Areas** - Work area superintendents will establish **Permitted Smoking Areas** outside the excavation at the Administration Building, Technical Services Building, Mobile Fleet Workshop, CHPP and out of pit Crib Rooms. These areas will be sign posted and have cigarette butt receptacles provided.

3. EMPLOYEE ASSISTANCE

New Acland Coal will support employees to give up smoking through a number of methods. We will pay up to 80% of any **recognised** and **agreed** quit smoking program – e.g., patches, hypnotherapy, and acupuncture. Contact the Safety Training Department for assistance.

Assistance to give up smoking can also be accessed through the QUIT program. Information is available on the web at www.quit.org.au or on 13 18 48.

4. DISCIPLINARY ACTION

Disciplinary action up to and including summary dismissal may be taken against employees who fail to comply with this procedure.

5. COMMUNICATION / TRAINING

Relevant sections of this Standard and associated procedures will be incorporated into New Acland Coal's Induction Program.

Training is not required to follow the intent of this Standard.

6. REFERENCES



Coal Mining Safety and Health Act – Qld. (1999)



Coal Mining Safety and Health Regulation – Qld. (2001)



New Acland Coal's SHMS Standards



Health Insite (http://www.healthinsite.gov.au/topics/Health_Effects_of_Smoking)

7. RECORDS

Records shall be maintained of employee induction training.

Records shall be maintained of in accord with Element 14.00 – Records Management.

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NEW HOPE
GROUP

A.9 Equal Employment Opportunity Policy





New Hope Group

Policy No.: POL 0021

**EQUAL EMPLOYMENT
OPPORTUNITY (EEO) POLICY**

1. SCOPE

This policy covers and extends to all operations and functions of New Hope Corporation Limited (“New Hope” or “Company”) including subsidiary companies and mine sites. All Managers, employees, contractors, sub-contractors or any other party that undertakes work for or on behalf of New Hope must comply fully with this Policy.

This Policy should be read in conjunction with the associated EEO Guideline.

2. DEFINITIONS

<i>Discrimination:</i>	<ul style="list-style-type: none">• Discrimination is any practice that disadvantages individuals or groups based on any of the following irrelevant attributes:• Sex• Marital Status• Pregnancy• Parental status• Breastfeeding• Age• Race• Impairment• Religion• Political belief or activity• Trade union activity• Lawful sexual activity• Gender identity• Sexuality• Family Responsibility• Association with, or in relation to, a person identified on the basis of any of the above attributes
<i>Harassment:</i>	To offend, humiliate or intimidate a person based on any of the above irrelevant attributes
<i>Bullying:</i>	The repeated less favourable treatment of a person which may be considered unreasonable and inappropriate workplace practice
<i>Sexual Harassment:</i>	Behaviour of a sexual nature that is unwelcome and/or uninvited that offends, humiliates or intimidates
<i>Victimisation:</i>	Unfavourable treatment of a person because they make a complaint or support a person making a complaint
<i>Vilification:</i>	Behaviour in a public place that shows a serious contempt for, or to ridicule, an individual or a group because of their race, religion, sexuality or gender identity

3. POLICY

New Hope aims to foster a workplace where employees feel that they are a valued member of the organisation; that they are treated fairly and that inappropriate behaviour does not take place. New Hope is also committed to ensuring that employees and all other

individuals involved in its operations are provided with equal opportunity in all aspects of employment. New Hope also supports the principle of equal opportunity for women.

It is the policy of New Hope that the following inappropriate workplace practices or behaviours are not permitted at New Hope in accordance with both state and/or federal legislation:

- Discrimination
- Harassment
- Bullying
- Sexual Harassment
- Victimisation
- Vilification

All Employees have an obligation to ensure they do not act inappropriately at a New Hope workplace, while representing New Hope or at a New Hope sponsored event.

All Executives, Managers and Supervisors within New Hope have the responsibility of proactively promoting this Policy and creating a positive workplace culture.

All reported instances of inappropriate behaviour shall be taken seriously and addressed in an suitable manner.

An individual who is found to have made a vexatious complaint may also be subject to disciplinary action up to and including summary dismissal.

The Equal Employment Opportunity (EEO) Guideline as referenced below in Section 6 is incorporated into this Policy.

4. BREACH OF THIS POLICY

Appropriate disciplinary action, up to and including summary dismissal, may be taken against individuals found to be in breach of this Policy.

5. FURTHER INFORMATION

For further information, employees can consult:

- The Equal Employment Opportunity Guidelines;
- Any Manager;
- A Contact Officer; and/or
- A member of the Human Resources Department.

6. RELATED INFORMATION

- Equal Employment Opportunity Guideline
- Employee Assistance Programme Guideline

Current versions of the above Guidelines can be found on New Hope's intranet.



NEW HOPE
GROUP

A.10 Recruitment and Selection Policy





Policy No.: POL 0014

RECRUITMENT AND SELECTION POLICY

1. SCOPE AND OBJECTIVES

This Recruitment and Selection Policy extends to and covers all of the activities of New Hope Coal Australia (New Hope) and is binding on all managers, supervisors, contractors, sub-contractors or other parties who undertake recruitment on behalf of New Hope.

The objective of this policy is to provide guidance and assistance in the recruitment and selection (including promotion) of employees. This policy also outlines the principles that shall be followed during the recruitment and selection process.

2. DEFINITIONS

Manager : Section / Department manager
Superintendent

3. POLICY

It is New Hope's policy that when recruiting and selecting staff that the best person for the position is chosen in each case. Attraction and/or selection of candidates may be undertaken through:

- Promotion
- Advertising
- Word of Mouth
- Headhunting

Primarily, all recruitment shall be managed internally however it is recognised that there may be a requirement from time to time to outsource the recruitment process e.g. executive level positions.

Should candidates need to be attracted to the position through external means, the method will be determined through consultation between the relevant manager and a member of the Employee Relations & Productivity team.

In either case, the following principles shall be followed during each recruitment exercise:

• MERIT PRINCIPLE

New Hope is committed to ensuring that selection decisions are based on the merit principle. This means that individuals shall be selected based on their capability to meet the requirements of the position and who have the right position-related attributes. Preference will be given to internal candidates who have the capability and position-related attributes to perform the requirements of the role.

Each manager is responsible for ensuring that the merit principle is applied in all selection decisions.

• EQUAL EMPLOYMENT OPPORTUNITY

New Hope is an Equal Employment Opportunity employer and is committed to ensuring that all applicants for selection are not unlawfully discriminated against on any of the grounds as outlined in the *Anti-Discrimination Act 1991* (Qld). This means that no unlawful discrimination shall take place throughout the advertising, interviewing and selection

processes. For further information refer to New Hope's Equal Employment Opportunity Policy.

3.1 THE PRE-RECRUITMENT PROCESS

3.1.1 NEW POSITIONS

Recruitment for new positions that have been added to the establishment after the budget for any year has been finalised, shall only be undertaken after written approval has been received from the Chief Executive Officer. Written approval shall be received by completing the Recruitment Request Form (Form No. 0033) and forwarding the form to the Chief Executive Officer.

3.1.2 ESTABLISHED POSITIONS

Recruitment for established positions can be undertaken in accordance with Departmental / Site requirements on an 'as required' basis.

3.1.3 RECOMMENDED REMUNERATION

For non-executive management positions, a review of the remuneration for the position shall be undertaken prior to commencement of interviews for the position.

To enable this review to be undertaken, a Position Description shall be finalised so that the position can be evaluated in the Salary Banding System.

Once the recommended remuneration has been determined, a member of the Employee Relations & Productivity team shall seek the written approval for the recommended remuneration from the Chief Executive Officer and Company Secretary on Form 0115 – Remuneration Approval Form.

3.2 THE RECRUITMENT PROCESS

3.2.1 TIME MANAGEMENT

Prior to the recruitment process officially commencing, a member of the Employee Relations & Productivity team shall discuss a timetable for the recruitment process with the relevant manager. Once the timetable has been agreed, the recruitment process shall commence according to the timetable.

3.2.2 THE SELECTION PANEL

The selection panel shall include an individual with detailed knowledge of the position and at least one other individual at the relevant manager's discretion. It is preferable that at least one member of the selection panel has the ability to conduct an 'in depth' behavioural interview where multiple questions can be asked to determine behaviours based on the candidate's responses.

3.2.3 THE SELECTION CRITERIA – STAFF LEVEL POSITIONS ONLY

To try to achieve consistency of information between applications, selection criteria shall be developed from the Position Description. This process shall be undertaken in joint discussions between a member of the Employee Relations & Productivity team and the relevant manager.

Applicants shall be required to respond to the selection criteria as part of the application process.

No more than five criteria should be used for any position.

3.2.4 MANAGEMENT OF THE RECRUITMENT PROCESS

It will be the responsibility of the Employee Relations & Productivity Team to undertake all co-ordination activities associated with the recruitment and selection process to ensure an effective process.

3.2.5 THE ADVERTISEMENT

Where an advertisement is required to be used as part of the recruitment process, it is to be written in clear, non-discriminatory language. Where the position is one to be held by a junior employee (under 21 years of age), discrimination on the ground of age is lawful and age requirements may be specified in the advertisement.

The advertisement is to be co-ordinated through the Employee Relations and Productivity team and shall use the New Hope approved style (see Attachment A).

3.2.6 NOTIFICATION OF POSITIONS VACANT

All vacant positions shall be advertised internally and where necessary, externally. The only exception to this is where candidates for the position are 'headhunted'.

3.2.7 THE SHORT LIST – STAFF LEVEL POSITIONS

Applications shall be reviewed against the selection criteria using the Recruitment Matrix (see Attachment B) and initially undertaken by a member of the Employee Relations & Productivity team. Once a preliminary short list has been established, the applications shall be reviewed by the interview panel. Those applicants considered for the short-list are to commence being interviewed within two weeks of the closing date of applications.

3.2.8 THE SHORT LIST – MINEWORKER POSITIONS

The Resumes of all applicants shall be reviewed by the relevant manager and applicants short-listed for interview. Those applicants considered for the short-list are to commence being interviewed within two weeks of the closing date of applications.

NOTE: Interviews to commence within two weeks of closing date of applications

3.2.9 PSYCHOMETRIC ASSESSMENTS

It is New Hope's policy that psychometric assessments shall be undertaken for all short-listed applicants. Such assessments are to be undertaken prior to, or at, the interview stage. See Attachment C for a list of psychometric assessments and their application. Only employees who are qualified to administer these tests shall do so (see Attachment C).

3.2.10 THE INTERVIEW

A member of the Employee Relations & Productivity team shall forward a set of generic interview questions (Form 0086) to the lead interviewer at least one week prior to the scheduled interviews. The lead interviewer is to review the questions and ensure the technical questions as required in Part A are added/updated if needed. Once completed, the form is to be returned to the relevant Employee Relations & Productivity team member who shall review the questions for compliance and consistency prior to any interviews taking place.

A separate questionnaire sheet is to be used for each interviewee. On completion of each interview the numerical computation as required in Part B is to be undertaken for each candidate (see PROC 0015 – How to Complete the Recruitment Questionnaire).

All completed questionnaires for all candidates are to be forwarded to the relevant Employee Relations & Productivity team member within one week of completion of the interviews.

NOTE: Completed questionnaires to be forwarded to ER & P within one week of completion of the interviews

3.2.11 REFEREE CHECKS / QUALIFICATION CHECKS

At least two referee checks shall be made for any preferred candidate. Preferably, one referee shall be a recent supervisor / manager of the candidate. Referees shall, wherever possible, be contacted at their place of work and not via their mobile phone number.

All candidates for professional / managerial positions shall have their qualifications checked, where qualifications exist, using the QTAC qualification search facility where it applies.

3.2.12 OFFER TO PREFERRED CANDIDATE

The preferred candidate should be contacted by the relevant manager to officially offer the candidate the position as soon as possible after a decision has been taken (see Section 3.3 for clarification of the internal candidate process). Where applicable, the relevant manager may delegate this activity to a member of the Employee Relations & Productivity team.

3.2.13 NOTIFICATION TO UNSUCCESSFUL INTERVIEWEES

A member of the Employee Relations & Productivity team shall ensure that all other short-listed candidates are notified that they have not been successful within two days of acceptance of the position by the preferred candidate. The lead interviewer may offer constructive feedback to unsuccessful candidates if the particular candidate makes such a request.

3.2.14 MEDICAL EXAMINATIONS

All successful candidates shall undergo a pre-employment medical examination at New Hope's cost prior to commencement of employment and shall be undertaken by New Hope's Nominated Medical Advisor or their nominee.

3.3 INTERNAL APPLICANT PROCESS MATTERS

3.3.1 NOTIFICATION TO CURRENT MANAGER

For internal applicants, the 'hiring' manager shall advise the applicant's current manager that the applicant has applied for the position. This notification shall occur as soon as possible after the 'hiring' manager becomes aware of the internal applicant's application.

If an internal applicant is the preferred candidate for a position and that position is in another area of New Hope to the 'hiring' manager, the current manager shall be informed by the 'hiring' manager of the intention to offer the employee the position. This shall be done prior to any offer being made to the employee.

3.3.2 NOTIFICATION TO UNSUCCESSFUL APPLICANTS

The 'hiring' manager shall advise unsuccessful internal applicants that their application has been unsuccessful. In such cases, the 'hiring' manager shall give constructive feedback to assist the internal applicant for the future. This feedback is to be given within one day of the decision being taken to appoint another candidate.

NOTE: Feedback to unsuccessful internal applications to be given within one day of the decision being taken to appoint another candidate

3.3.3 TRANSFER DISPUTES

Any dispute over internal transfers shall be resolved through discussions between the 'hiring' manager, the current manager, the Employee Relations & Productivity Manager and the General Manager – Business Improvement.

If the panel is unable to resolve the dispute, the Chief Executive Officer shall make the final decision.

4. EXTERNAL APPLICANT REQUEST FOR INFORMATION

Under the *Privacy Act 1988 (Cth)*, unsuccessful external candidates can request a copy of any New Hope documentation relevant to them that has been recorded or obtained during any stage of a recruitment process. If such a request is made, the lead interviewer is to coordinate the provision of the information in consultation with the Employee Relations & Productivity Manager (Privacy Officer).

5. RELATED INFORMATION

- POL 0021 - Equal Employment Opportunity Policy
- POL 0022 - Workplace Bullying and Harassment Policy
- Privacy Policy
- Trade Practices Policy
- PROC 0015 – How to Complete the Recruitment Questionnaire
- Form 0015 – Remuneration Approval Form
- Form 0033 – Recruitment Request Form
- Form 0086 – Interview Evaluation Form

6. DISCIPLINARY ACTION

Disciplinary action up to and including summary dismissal may be taken against any individual found to be in breach of this policy.

ATTACHMENT A

EXAMPLE ADVERTISEMENT



SENIOR ACCOUNTS OFFICER

Head Office Based Position

As the Senior Accounts Officer, you will be responsible for delivering a highly effective financial reporting function for New Hope's accounting team.

The key responsibilities will be to:

- Provide an effective and efficient accounts' receivable service
- Prepare daily cash position, cash dissection and capital expenditure reports
- Reconcile company bank accounts on a monthly basis, and
- Reconcile general ledger accounts as required.

This position will require attention to detail, as well as a team player who is willing to take on new and exciting challenges.

New Hope Coal's head office is based in Ipswich, a short 40 minute drive from the Brisbane CBD.

What's in it for you?

Our employees are valued as individuals and through our LEAP programme (Leading Effective and Achievable Performance) we routinely give and receive feedback and develop our employees to allow them and the company to continually improve. Our management team is also committed to recognising and rewarding high quality performance.

Who are we?

New Hope Coal is a growing, independent publicly listed energy group. Based in Queensland, we operate two open-cut mines located at New Acland and New Oakleigh and count sustainable environmental practices and a non-negotiable safety policy as part of the bottom line.

Interested in applying for this position?

Visit www.newhopecoal.com.au and follow the links to the 'Careers' section to apply and for more information on the role.

Applications close on 28 May 2007.

www.newhopecoal.com.au



NEW HOPE COAL

A U S T R A L I A

MAKE YOUR FUTURE WITH NEW HOPE COAL

ES 7059

ATTACHMENT B

EXAMPLE OF RECRUITMENT MATRIX

**NEW HOPE COAL AUSTRALIA
RECRUITMENT MATRIX (SELECTION CRITERIA)**

POSITION NAME: POSITION NO. - POSITION NAME DATE:

Score represents how well applicant matched all elements of each criterion

NOTE: Some criteria have more elements than others

Name	Max. possible score									TOTAL
	3	3	3	2	3	3	1	1	3	22
	C1	C2	C3	C4	C5	C6	C7	C8	C9	TOTAL
CANDIDATE NAME 1	3	2	3	1	3	3	1	1	3	20
CANDIDATE NAME 2	3	3	3	1	2	3	1	1	2	19
CANDIDATE NAME3	3	3	2	1	3	2	1	1	3	19
CANDIDATE NAME 4	3	3	2	2	2	2	1	1	2	18
CANDIDATE NAME 5	3	3	2	2	3	1	1	1	1	17
CANDIDATE NAME 6	2	2	2	2	3	1	1	1	3	17
CANDIDATE NAME 7	2	3	2	0	3	3	1	0	3	17
CANDIDATE NAME 8	3	2	2	1	2	2	0	1	2	15
CANDIDATE NAME 9	3	1	2	2	2	1	1	1	1	14
CANDIDATE NAME 10	3	1	3	2	2	2	1	0	0	14
CANDIDATE NAME 11	3	3	2	2	2	1	1	0	0	14
CANDIDATE NAME 12	3	2	2	1	1	1	1	1	1	13
CANDIDATE NAME 13	2	2	1	1	1	1	0	0	2	10
CANDIDATE NAME 14	2	3	0	0	0	0	0	1	2	8
CANDIDATE NAME 15	2	2	1	0	1	0	0	0	0	6
CANDIDATE NAME 16	1	0	0	1	2	0	0	0	0	4
CANDIDATE NAME 17	1	0	0	0	0	1	0	1	1	4
CANDIDATE NAME 18	2	0	0	0	0	0	0	0	0	2
CANDIDATE NAME 19	0	0	0	0	0	0	1	1	0	2
CANDIDATE NAME 20	0	0	0	0	0	1	0	0	0	1

CANDIDATES RECOMMENDED FOR INTERVIEW	
Name	Comments
CANDIDATE NAME 1	Write some specific comments here - strong/weak points
CANDIDATE NAME 4	Write some specific comments here - strong/weak points
CANDIDATE NAME 7	Write some specific comments here - strong/weak points
CANDIDATE NAME 8	Write some specific comments here - strong/weak points
CANDIDATE NAME 10	Write some specific comments here - strong/weak points
CANDIDATE NAME 15	Write some specific comments here - strong/weak points
CANDIDATE NAME 19	Write some specific comments here - strong/weak points

<U:\HUMAN RESOURCES\Recruitment and Selection\Recruitment Matrix\Masters\Electronic Resume Review - MASTER.xls>

ATTACHMENT C

PSYCHOMETRIC ASSESSMENTS		
Company	Assessment Name	New Hope Administrators
Recruitment Consultant	Usual assessments administered by that consultant	Not applicable
PSP Human Resource Development (For Mineworkers only)	Relevant assessments for the position to be determined from battery (see ER & P Manager). Must include the Guildford-Zimmerman Temperament Survey.	Dianne Armbrust Debbie Smith Aaron Athorn
McQuaig (For Staff Positions)	Job Survey Word Survey MOT	Dianne Armbrust Debbie Smith Aaron Athorn Sarah Thomasson Robyn Turner
Hermann Corporation (For Staff Positions)	HBDI	Dianne Armbrust Debbie Smith Aaron Athorn Sarah Thomasson Robyn Turner
ACER Assessments (For Staff Positions)	Verbal Professional Select Numerical General Select	Dianne Armbrust Debbie Smith Aaron Athorn Sarah Thomasson Robyn Turner

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NEW HOPE
GROUP

A.11 Landholder Engagement Protocol





NEW HOPE
GROUP

LANDHOLDER ENGAGEMENT PROTOCOL

Procedure No: 0167

1. BACKGROUND

New Hope Group ('New Hope') is an Australian owned and operated diversified energy company based in South East Queensland for more than 60 years, with business interests and operations spanning coal mining, exploration, port operation, oil, agriculture, innovative technologies and investment.

New Hope has extensive experience working with local communities, Landholders and their families. The commitment to developing and maintaining positive, productive, ongoing relationships with Landholders is critical to future development and success. New Hope is committed to continuing to build and maintain trusting and enduring relationships with the owners and residents of the land on which we conduct our activities.

2. PURPOSE AND SCOPE

The purpose of this Landholder Engagement Protocol ('the Protocol') is:

- To provide an overview of the approach employed by New Hope Group when engaging with Landholders;
- To give Landholders confidence in the clear process which will be used by New Hope to engage with them and by Landholders to engage with New Hope;
- To explain how Landholders may access and openly engage with New Hope representatives;
- To describe the process for resolution of concerns; and
- To explain the process to gain access to Landholder property.

The Protocol applies to all New Hope Group operations, and any projects. It has been developed in response to the publication of the Queensland Land Access Code, November 2010 ('Land Access Code').

Importantly, the Protocol identifies Landholder engagement as a two-way communication process and identifies how Landholders may engage with New Hope directly.

The Protocol can be accessed via the New Hope website, Community Information Centres and at New Hope Project community meetings.

Specifically, the Protocol identifies how New Hope addresses key Landholder interests around:

1. Land Access (Section 5.2)
2. Ongoing Communications (Section 5.3)
3. Compensation Agreements (Section 5.4)
4. Land Purchase (Section 5.5)
5. How to raise a concern (Section 5.6)

3. DEFINITIONS

Throughout this protocol the following terminology applies:

Authorised activity	For a resource authority, means an activity that its holder is, under the authority of the relevant resource Act, entitled to carry out in relation to the resource authority
Tenement Holder	Means an entity that, under a resource Act, holds a resource authority, in this case the New Hope Group and its subsidiaries
Landholder	Means an owner and/or occupier of private or public land in the direct footprint of a resource authority or immediately adjacent to a land parcel within the footprint of the resource authority; Or directly impacted by the activities of the resource development.

4. GUIDING PRINCIPLES

During the normal course of its activities, New Hope undertakes engagement with a wide variety of Landholders who may be directly or indirectly impacted by New Hope's activities. New Hope is committed to:

- Responsible and proactive engagement with affected Landholders;
- Complying with the mandatory requirements of the current Land Access Code;
- Engaging with each landowner within the resource development area prior to any activity on their land;
- Engaging with Landholders throughout the resource development lifecycle to ensure their views are heard, understood and considered and the outcome clearly communicated to the Landholder;
- Working towards outcomes that, wherever possible, benefit both parties;
- Providing a clear point of contact and a variety of contact methods;
- Seeking to resolve Landholder concerns in a timely manner; and
- Evaluating the effectiveness of our Landholder engagement activities.

5. LANDHOLDER ENGAGEMENT

5.1 Engagement activities and tools

New Hope identifies and engages Landholders through the following activities:

- Stakeholder identification and impact assessment as part of the development of any new resource development activity;
- Land access procedures as defined in the Land Access Code, including formal visits and/or communications in advance of proposed activities on Landholders' property;

- Community Reference Groups that meet regularly to raise and progress matters of importance;
- Informal visits by company representatives;
- Regular neighbour activities at the site
- Timely response to matters raised
- Distributing newsletters to provide updates on project developments and current operations;
- Fact sheets and posters are developed for community information sessions regarding new project developments;
- Public displays and community information sessions at key milestones in the project development lifecycle;
- Letterbox drops on specific project and/or operational updates;
- Press releases and interviews with the local media to provide further information on company developments and initiatives;
- The use of the New Hope website, as well as project-specific websites, where appropriate, to communicate company vision and policy, as well as project development progress; and
- Formal and informal ongoing communication between mine site operations representatives and Landholders.

Specific Landholder engagement activities are undertaken by New Hope during each phase of the project lifecycle as illustrated in Figure 1.

The figure also identifies the relevant team or representative within New Hope who is responsible for that activity.

Contact details for each team/representative can be found in Section 6.

Figure 1: Landholder Engagement Activities & Responsibilities

RESPONSIBLE ROLE	PROJECT PHASE			
	Exploration	Expansions or Change of Tenure	Operations	
Projects		Stakeholder identification & impact assessment: as per the Stakeholder Engagement Plan implemented as part of the development of any new project or expansions to existing projects		LANDHOLDER ENGAGEMENT ACTIVITIES
Land & Tenure Team	Land access authorisation process: New Hope complies with the mandatory requirements articulated within the current version of the Queensland, Land Access Code			
Community Liaison Officers		Community Information Centre: established to maintain a single point of contact during project development		
Operations Community Liaison Officers	Community Reference Groups: stakeholder groups including landholders and the broader community that meet regularly to raise and progress issues			
Land & Tenure Team Operations	Informal visits: Occasional visits to build relationships with landholders			
Any New Hope representative	Concerns Handling Procedure: Used to record and track response to all landholder complaints and/or issues			
Corporate Affairs	Newsletters and Media Updates Fact sheets and posters Public displays and community information sessions Letterbox drops			
	Website(s)			
Land & Tenure Team	Co-operation Agreements: Established with all affected landholders in advance of exploration activities. Defines the timing and approach of the proposed activities and communicates the Land Access Authorisation Process.		OUTCOMES	
	Compensation or other agreement: Standard compensation agreements have been drafted and are entered into after negotiation with landholders. Compensation is varied and specific to each unique agreement.			
	Land acquisition: Voluntary land acquisition only takes place following mutual agreement between New Hope and affected landowners.			
Projects Corporate Affairs Operations	Social Impact Management Plan: May be undertaken for each new project, expansion and changes of tenure.			
	Stakeholder Engagement Plan: Developed for each new project, expansion and change of tenure.			

5.2 Land Access

New Hope is committed to complying with the requirements of the Land Access Code. In complying with the Land Access Code, New Hope also recognises the sensitive nature of land access, the sense of place and attachment to land by Landholders.

While there is a statutory framework and a process for mediation and resolution by the Land Court, New Hope aims to manage all issues related to land access and compensation agreements via direct negotiation with Landholders. Resolution by the Land Court is a last resort available to Landholders and New Hope, in the event that negotiations have failed after repeated attempts.

To implement the requirements of the Land Access Code, a Land and Tenures team has been established. The representatives of this team are trained to adhere to the Land Access Code and also to manage Landholder communications and negotiations as required.

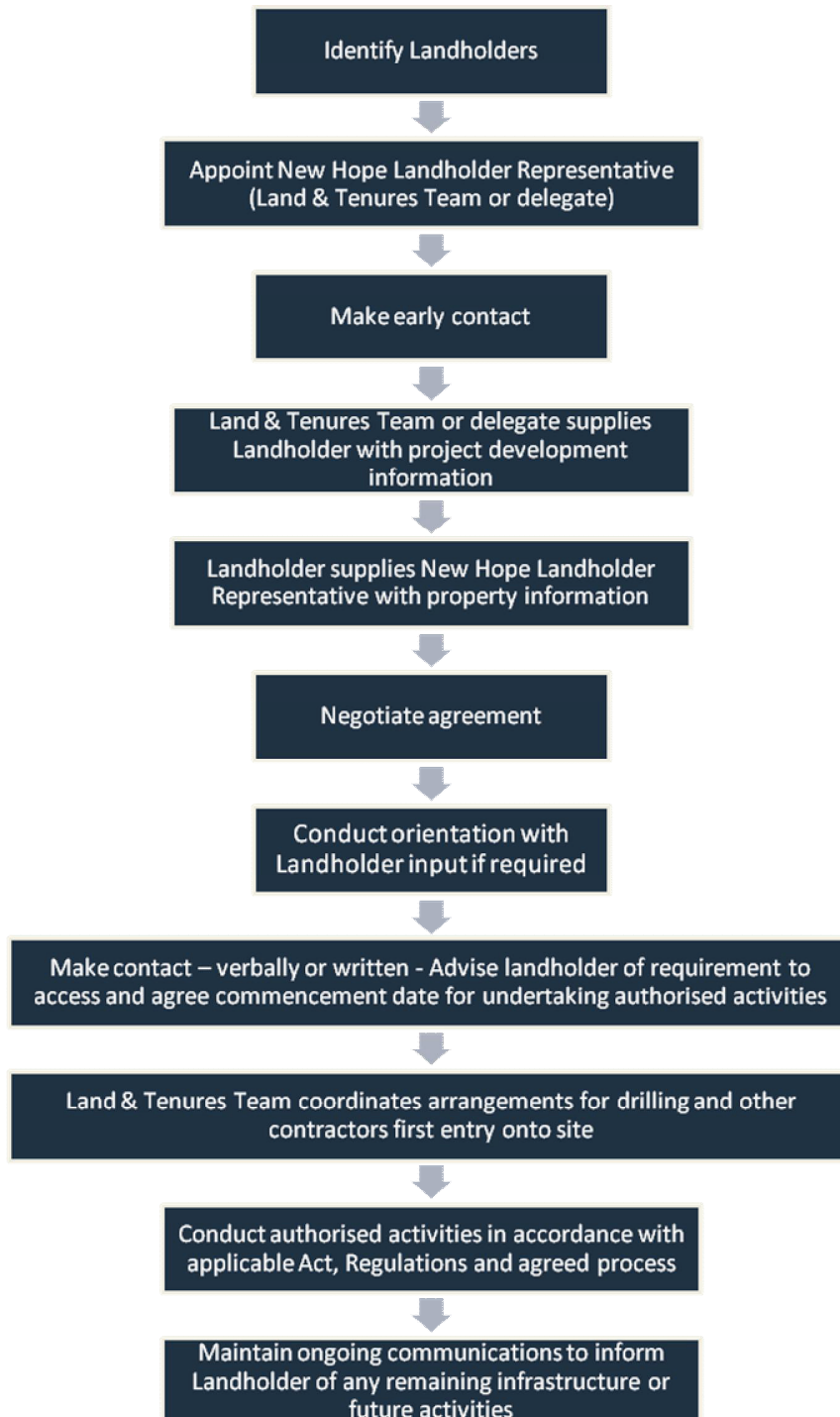
Specifically, the table below outlines the role of New Hope and Landholders in land access activities.

New Hope	Landholders
<ul style="list-style-type: none"> • Liaise closely with the Landholder • Advise the Landholder of New Hope’s intentions relating to authorised activities in advance of them being undertaken • Advise the Landholder of any significant changes to operations or timing • Minimise impact to Landholder property • Respect the rights, privacy, property and activities of the Landholder • Rectify any damage caused by the authorised activities as per current legal requirements • Pay agreed compensation with the Landholder in accordance with agreed milestones • Abide by the Land Access Code before, during and after undertaking activities • Be responsible for all authorised activities and actions undertaken by employees and contractors of the resource authority • Regard as confidential information obtained about the Landholder’s operations. 	<ul style="list-style-type: none"> • Liaise with New Hope • Provide responses to requests or notices with minimum delay • Advise New Hope of any significant changes to operations or management programs • Engage with New Hope representatives to identify issues such as values of property and operational considerations • Respect the rights and activities of tenement holders and provide reasonable access • Promptly notify New Hope of any damage to property caused by New Hope • Engage in negotiations with New Hope to determine appropriate conduct and compensation arrangements • Adhere to principles of the Land Access Code and good neighbourly relations • Be responsible for all Landholder activities, requests and actions undertaken on the property by Landholder’s employees and contractors • Regard as confidential information obtained about New Hope’s operations.

Source: Adapted from Queensland Land Access Code, November 2010

Figure 2: Land Access Process

The Company's Land Access Process is illustrated below:



5.3 Ongoing Communications

New Hope appoints dedicated representatives (internal and/or external) for ongoing communications with Landholders. While experience has led New Hope to develop a range of ongoing communications processes, we also recognise that each landowner has different expectations and needs. A representative from New Hope would therefore work with each Landholder to agree the most practical method of ongoing communication. Details of any engagement activities (including communications) should be entered into the Company's Consultation Management software to allow for appropriate reporting and up to date engagement records.

Through these ongoing communications, New Hope representatives will:

- Seek agreement before any activity begins on each property
- Keep each Landholder informed at each important stage of development
- Aim to understand the nature of the individual property – both current and proposed future land use
- Ensure privacy, property and business activities are respected
- Answer any questions or concerns the Landholder may have via the various contact points provided (see Section 6 for contact details)
- Seek to resolve issues in accordance with the Concerns Management Procedure (see Section 5.6).

5.4 Compensation Agreements

Compensation Agreements are only negotiated when Landholder property is to be directly disturbed and the level of compensation depends on the extent of reduction of the use of the land. New Hope's compensation agreements are based on property market value, the level of disturbance and other relevant compensatable acts as negotiated by both parties.

Compensation Agreements may also be drafted early and only exercised as an option at some point in the future when the disturbance actually occurs. In this way, Landholders are given a sense of security that future potential impacts will be compensated.

5.5 Land Purchases

All land purchases are the outcome of one-on-one Landholder negotiations, where a purchase price is agreed, based on third party land valuation and current property market value.

5.6 Raising concerns

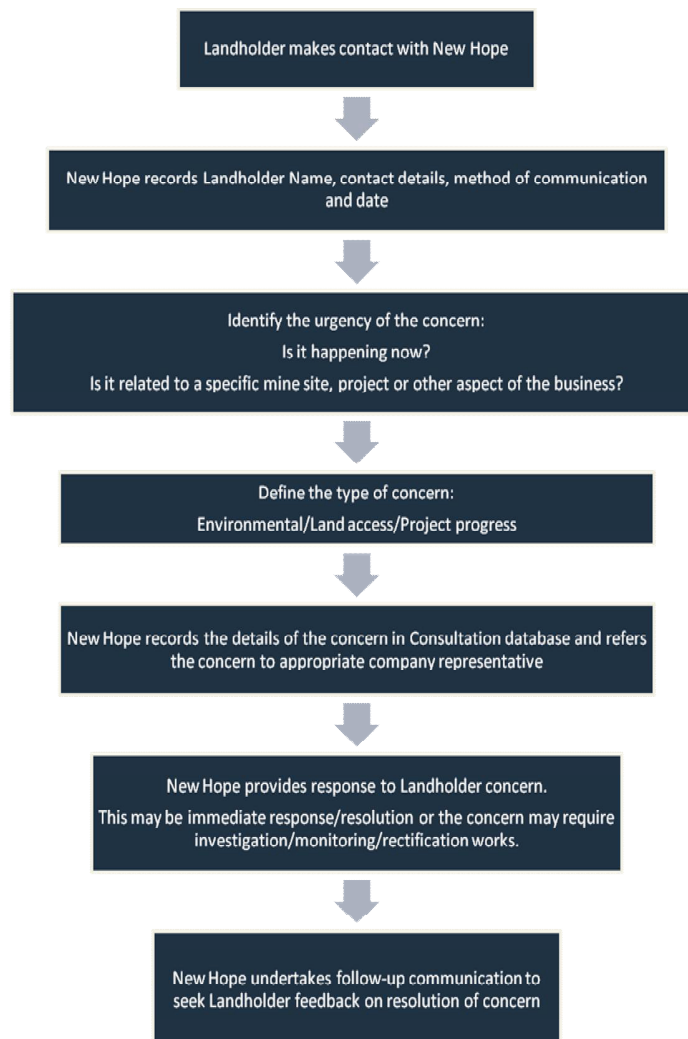
The process to raise a concern is provided below:

- Contact a representative of the Company, Project or Operations identified in this protocol
- Provide name, method of communication, date, contact details

- Provide details of the concern:
 - Is it occurring now?
 - Is it occurring on the mine site?
 - What type of concern is it e.g. environmental, land access, project progress
- All concerns are acknowledged and assessed. Where possible, an immediate response and resolution is provided.
- The Landholder will be advised on the progress of the assessment in a timely manner.
- After the assessment, New Hope's response will be communicated to the Landholder.

Figure 3: Concerns Management Procedure

An overview of the Concerns Management Procedure is illustrated below:



6. IMPORTANT CONTACT INFORMATION

Based on the type of concern or project phase, as outlined in Section 5, the contact can be found below:

CORPORATE OFFICE		
Land and Tenure Team 3/22 Magnolia Drive Brookwater, Qld, 4300 (07) 34180 547 property@newhopegroup.com.au	Community Team 3/22 Magnolia Drive Brookwater, Qld, 4300 (07) 3418 0500 1800 882 142 community@newhopegroup.com.au	
CURRENT OPERATIONS		
New Acland Coal Mine Muldu Road Acland, Qld, 4401 Phone: (07) 4694 8855 (24 hours)	West Moreton (<i>Jeebropilly Mine and New Oakleigh Mine</i>) Stones Quarry Road, Amberley, Qld, 4306 Phone: (07) 5461 9200 (24 hours)	Queensland Bulk Handling 3 Bulk Terminals Drive Port of Brisbane, QLD, 4178 Phone: (07) 3107 4900 (24 hours)
DEVELOPMENT PROJECTS		
New Acland Project		
Oakey Community Information Centre Campbell Street Oakey QLD 4401 Phone: (07) 4691 3445	Community Team 3/22 Magnolia Drive Brookwater, Qld, 4300 (07) 3418 0500 1800 882 142 community@newhopegroup.com.au	
Colton Project	New Lenton, Elimatta, Yamala, Bee Creek, Ashford	
Maryborough Community Information Centre 3/225 Adelaide Street Maryborough QLD 4650 Phone: (07) 4122 4256	Community Team 3/22 Magnolia Drive Brookwater, Qld, 4300 (07) 3418 0500 1800 882 142 community@newhopegroup.com.au	

7. REVIEWING OUR PERFORMANCE

As part of our commitment to continual improvement, New Hope management undertake regular review of all policies, protocols and procedures. In reviewing this protocol, performance will be measured against:

- Measures of effectiveness of relationship with Landholders i.e. number of positive feedback raised, number of concerns, time to resolve concerns, number and outcomes of mediation

Timely achievements of all project approvals i.e. Landholder concerns or negotiations have been resolved within the project delivery timeframe.