

## Northport Ltd.: 3 Strikes Policy

Northport Ltd. has the goal of achieving Zero Harm throughout the Port Facility. The purpose of Northport's Three Strikes Policy is to reinforce the expected behaviours of all people at the Northport Facility as agreed by Northport Ltd. and the Port Users Health and Safety Committee.

In summary, a strike may be registered for a breach of the agreed rules occurring on Northport Ltd. property, Ralph Trimmer Drive and land owned by Marsden Maritime Holdings Ltd. If an individual accumulates three strikes within a specified period of time, their access to the Port Facility may be suspended.

### **Actions that may result in 'a strike':**

- Speed limit breaches.
- Use of Mobile phones/personal electronic devices whilst driving or operating vehicles or machinery.
- Using a mobile phone in an operational area.
- Failure to observe site and road signs.
- Driving with an unsecured load in breach of Northport Ltd. rules or company SOP's.
- Operating a vehicle or machine without a fastened seatbelt (where one is fitted).
- Inappropriate or unsafe parking.
- Unauthorised use of ID cards.
- Unsafe practices when working at heights.
- Working without the compulsory PPE.
- Entering areas without the required access permit.
- Carrying unauthorised passengers in a vehicle.
- Tailgating through security gates.
- Dangerous driving.
- Failure to meet appropriate legal requirements.
- Failure to comply with Northport Ltd.'s "Port Facility: Health and Safety Requirements".
- Failure to comply with any of the rules in Northport Ltd.'s "Port User Company Operating Rules".
- Any other behaviour deemed serious enough to warrant this action.

## How the 3 Strikes System Works

**Registering a Strike:** All incidents reported by Port Security or a port user will be reviewed by Northport Ltd.'s Security and/or Health and Safety team. If consensus is reached that the reported incident has occurred and is of sufficient severity to warrant a strike, a strike will be formally issued against the offender's name which will remain active for six months. Where practicable, the offender will immediately be stopped and informed of their specific breach.

**Accumulation of Strikes:** Northport Ltd. will notify the offender's employer in writing of each strike issued. If no further strikes are received within six months of the first strike, that strike will be deactivated but will remain on the individuals file. If a second strike is recorded against the individual within six months of the first strike, the individual will begin a second six month probationary period with the individual resuming on strike two and both strikes only being deactivated after a further six month period.

Should an offender receive a third strike whilst on strike two or receive three strikes within any 12 month period, their access to the port may be suspended until consensus is reached about the type and duration of any sanctions to be imposed. The evaluation of any offences and sanctions will ideally be agreed by Northport Ltd. in consultation with the offender's employer. The final outcome however is at the discretion of Northport Ltd.

**Subsequent to Sanctions:** When the offender has completed their sanctions they may be re-issued access to the port and be able to resume their employment with a clean slate following refreshment of their Northport Ltd. Health and Safety Induction. Should any offender reach three strikes on a second occasion, they may be permanently prohibited from accessing the port in any capacity for any organisation. Should any offender be found in breach of any sanctions imposed by the Three Strike Policy, they may be prohibited from the port indefinitely.

**Addendum:** One strike will generally be incurred by an individual for each separate breach of health and safety related policy. In some instances, more than one strike may be warranted for a particularly serious offence and this will be at Northport Ltd.'s discretion after consultation with the offender's employer. For example:

Speed limit breach of < 10kph = 1 Strike.

Speed limit breach of 11-20kph = 2 Strikes.

Speed limit breach of > 20kph = 3 strikes.

Northport Ltd.'s Three Strike Policy is separate to and does not prohibit any disciplinary procedures that might run concurrently relating to the same or a separate matter. Neither does this policy affect the ability of Northport Ltd to issue a trespass notice under the Trespass Act 1980.

## Appeal Process

**To Lodge an Appeal:** All appeals must be lodged in writing to Northport Ltd. via the offender's manager. All appeals must be received by Northport Ltd. in writing and within five working days of the strike being formally notified by Northport Ltd.

**Appeal Process:** A written appeal submission must be provided to Northport Ltd. within five working days of Northport Ltd. formally advising the offender and/or their manager of the strike being lodged. The appeal submission must outline in point format, the reason for the appeal, the offender's version of events, why the strike is not justified, and what (if any) sanctions are appropriate.

Upon receipt of the written appeal submission, Northport Ltd. will initiate a review of the circumstances culminating in the placement of the strike. The review will consist of at least one member of Northport Ltd.'s Health and Safety team, the appellant, a manager from the appellant's company where possible, a representative for the appellant (at the appellant's discretion), and where possible a neutral party from an uninvolved port user company.

**Following the Appeal Process:** The decision from the appeal process is final and no further correspondence will be entered into following culmination of the appeal hearing. A decision in writing will be provided to the appellant and their manager following the appeal hearing.

## Administration

Strikes will be recorded on a central register in Microsoft Excel that will be administered by Northport Ltd. All specific data relating to an individual are held in confidence and will only be released to a senior manager of that individual's organisation upon written request. General data may be used by Northport Ltd. to identify/demonstrate trends and communicate these with relevant parties.

Port access will be regulated by Northport Ltd. via its Cardex system in accordance with the processes outlined above.