

PURPOSE & OBJECTIVES

The purpose of this Third Party Worker Standard (this “Standard”) is to establish consistent practices for sourcing and managing workers who are not Newmont employees in a way that reduces risk, supports Newmont’s policies, standards, and procedures, enables accurate tracking, and prevents cost leakage.

SCOPE

The scope of this Standard is global. It applies to all Newmont employees, officers and directors who source or manage Third Party Workers. It applies to all phases of the Supply Chain lifecycle, from prequalification through supplier management, and during all points of the mine life phase, exploration through closure.

CONTENT

The content in this Standard is to be read within the context of definitions listed in the Definitions section below. Any local differences from this Standard will follow applicable local labor laws and, at all times, applicable local labor laws will prevail.

1. Sourcing

Newmont seeks to effectively source qualified Third Party Workers in accordance with our existing policies, standards, guidelines and procedures. The Newmont Overseer must adhere to all applicable corporate, regional, and site processes in connection therewith. In addition, the Newmont Overseer is responsible for ensuring that the Applicable Contract includes an acknowledgement by the other contracting party that it has reviewed Newmont’s Supplier Code of Conduct.

If a Newmont entity desires to utilize the services of a Third Party Worker who was an employee of any Newmont entity within the restricted time period specified in the applicable regional procedure or guideline, the applicable Newmont Overseer must obtain approval for such arrangement from Human Resources, Employee Relations and/or Legal prior to execution of the Applicable Contract as specified in the applicable regional procedure or guideline, and such arrangement also must adhere to all other applicable regional and site policies, standards and procedures.

Unbudgeted Contractor Services Worker positions must be approved by one of the individuals listed below prior to execution of the Applicable Contract:

- Corporate: Chief Executive Officer (“CEO”) or CEO delegate
- Regions: General Manager or Regional Leadership Team member

2. Monitoring and Reporting

Newmont Overseers must maintain accurate records for their Third Party Workers and are responsible for ensuring compliance with the following:

2.1 All Third Party Workers

- Third Party Workers are not subject to Newmont’s employee performance management requirements; rather, they must adhere to a written scope of services with clear deliverables where appropriate, as set out in the Applicable Contract.
- Newmont Overseers may not negotiate rates or remuneration for Third Party Workers. Those discussions are to be conducted by Supply Chain with the other party to the Applicable Contract.

THIRD PARTY WORKER

- Newmont Overseers will provide feedback on Third Party Workers to the other party to the Applicable Contract, and manage:
 - o Adherence to all applicable Newmont Standards and Policies
 - o A safe work location
 - o Length of the assignment
- Budgeting for Third Party Workers is part of the annual planning process, inclusive of Authorization for Expenditures (“AFE”), reflected in the Business Process Consolidation (“BPC”) system.
- Newmont Overseers must be aware of, and take action to mitigate, Co-employment Risk. This includes shielding Third Party Workers from confidential information and team meetings unrelated to their scopes of work, from employee distribution lists, and from employee events such as Business Resource Groups, etc. Refer to regional and site guidelines for additional Co-employment Risk mitigations.
- Third Party Workers are not to be permitted to interview or manage Newmont employees. In addition, they may not approve purchase requisitions, purchase orders or invoices, or Information Technology tickets for permissions or equipment.

2.2 Managed Services Workers

Newmont is not responsible for directing or supervising Managed Services Workers. They are employees of the entity with which Newmont contracted for provision of the managed services (“MSP”) and, accordingly, the MSP is responsible for their supervision, direction, and employment tax withholdings, as well as for ensuring that they comply with all applicable laws. The Newmont Overseer, working with the appropriate Newmont representative from Newmont’s legal and/or supply chain department, is responsible for ensuring that the Applicable Contract requires the following:

- The Managed Services Worker is a paid employee of the MSP or of a subcontractor of the MSP.
- MSP’s compliance with all laws and payment of all taxes associated with the Managed Services Worker.
- MSP is responsible for managing and directing the daily work of the Managed Services Worker.

3. Extensions

- The term of services provided by a Third Party Worker must follow regional and site procedures and be in compliance with applicable local laws. This includes completion of a contract extension/update form and budgeted approval.
- For Contractor Workers, start and end dates within a maximum term are required and the Applicable Contract term should not be extended without a review of initial scope, deliverables, and position requirements.

4. Off Boarding

Upon expiration or termination of the applicable Contract, the Newmont Overseer is responsible for ensuring the following:

- All Newmont property is returned to Newmont, including hardware, badges and the like.
- Action is taken to off-board the Third Party Worker, including submitting a ticket to terminate all access and enterprise systems, including SAP, and removal from Active Directory and the Contractor Services Worker headcount report within five business days following the Applicable Contract end date, and reminding the departing Third Party Worker that s/he is still contractually bound to confidentiality requirements relating to Newmont confidential information per the terms of the Applicable Contract.
- The Purchase Requisition relating to the specific Third Party Worker is closed out in line with the Supplier Risk Management RASCI Phase 5.