

SPECIAL PROCEDURE – ACCOMODATION

FEDERAL MARINE TERMINALS, A DIVISION OF FEDNAV LIMITED (“FMT”)

AUGUST 2020

Special procedure for allowing truck drivers to be serviced at FMT Hamilton terminal with the driver being exceptionally dispensed from wearing a protective hard-hat due to religious beliefs.

In the event a truck driver refuses to wear a protective hard-hat due to his religious beliefs, the following special procedure will be used to allow to service the truck loading or unloading at the terminal.

It should be noted that this does not exonerate the driver from wearing other required personal protection equipment (e.g. such as a reflective vest, steel-toed boots, gloves and protection glasses as needed).

≡ BULK LOADS/CARGOES

As is the normal practice, upon entering the terminal, the driver must go to the scale and register his paperwork to obtain his pre-load (discharge) information.

The scale operator will let the driver know that once they leave the scale, in view of the fact that they are not willing to wear a hard-hat, they cannot exit the cab of their truck at any moment while on the terminal. The driver will only be allowed to exit the cab once they arrive back at the scale to sign out.

The driver will drive to the location indicated and once available, FMT's labour will load/unload the bulk material.

For the unloading of bulk cargo, all manual un-tarping will be performed by FMT's labour once the truck has arrived to the designated area, as per the Ministry of Environment dust restrictions.

For loading of bulk material, all manual tarping will be performed by FMT's labour, and must be done prior to leaving the designated loading area as per Ministry of Environment dust restrictions. It should be noted that the services will be performed as soon as labour becomes available.

The driver will be advised when the operation is complete and will be instructed to return to scale.

The driver will then drive back to the scale, weigh out, receive his paperwork, and then leave the FMT premises (via the Port access gate). The driver will then be required to stop and inspect their load and trailer.

≡ CONTAINERS AND BREAKBULK LOADS/CARGOES

As is the normal practice, upon entering the terminal the driver must go to the check-in window to obtain their paperwork and load instructions.



The window clerk will let them know after they leave the check-in window, in view the fact that are not willing to wear a hard-hat, they cannot exit the cab of their truck at any moment while on the terminal. The driver will only be allowed to exit the cab once they arrive back at the window to sign out.

FMT will advise the driver that it can offer to load/discharge his truck based on the following conditions. It should be noted that the services will be performed as soon as labour becomes available.

FMT's labour will prepare the trailer for loading (e.g., putting blocks, dunnage, etc. – these must be provided by the truck and be easily accessible).

FMT will load the cargo on the trailer and put minimal **temporary securing** on the load (or remove the securing in case of trucks discharging at the terminal) to allow the truck to drive inside the terminal under caution to the window/office for his paperwork.

Trucks with this minimal securing are required to travel at a maximum speed of 10 kms per hour.

Once the truck has exited the terminal gates, the driver is required to pull off to the side and remove the securing put in place by FMT's labor and re-secure the load himself as per the legal requirements of Ontario before entering the roadways.

The Driver must sign the following acknowledgement form stating that he will abide with the above conditions, in particular the need to perform his own securing, and that he will hold FMT harmless and indemnified for any incident that may result from the securing of his load.

ACKNOWLEDGEMENT

Date _____

Name _____

Company _____

Type of cargo _____

Due to my religious beliefs, I, the undersigned truck driver with the above-mentioned company, refuse to wear a hardhat within the terminal of Federal Marine Terminals, a division of Fednav Limited's ("FMT") location in Hamilton, Ontario.

In consideration of FMT assisting with the loading and/or unloading of the above-mentioned cargo as per the above-mentioned procedure, I hereby undertake to perform any obligations whatsoever which I may have by law, contract, or otherwise with regard to the truck and/or cargo, its safety or otherwise, including but not limited to inspecting and re-securing the load and/or cargo, as soon as I have left the terminal.

In addition, I agree that FMT shall not in any way whatsoever be responsible and shall be released for any damage or injury sustained to me, my property or any third party as a result of the above-mentioned special procedure, including as a result of FMT's negligence and/or gross negligence (with the



exception of willful misconduct), and I hereby agree to indemnify and hold harmless FMT, its employees, directors, officers and agents in respect of any incident, loss, claim, damage, causes of action or expenses directly or indirectly caused by, or arising out of, or occurring in connection with the above mentioned procedure.

SIGNATURE _____

WITNESSED BY:

Name _____

Signature _____