



Oyu Tolgoi LLC

Human Resources and Training

HR-G6.1: Hours of Work Procedure

Contents

Introduction	2
1. Policy Number	2
2. Purpose	2
3. Application	2
4. Commencement	2
5. Authority and Management	2
Policy	3
1. Standard Work Hours	3
1.1. Standard working day	3
1.2. Reduction of working hours	3
1.3. Work breaks	3
2. Non-Standard Work Hours	3
2.1. Night Hours	3
2.2. Overtime	4
2.3. Time in lieu (Credit Hours)	4
3. Standard Roster Schedules	4
3.1. Office and Site-based Roster Schedule	4
Appendices	5
1. Definitions	5
2. Templates and Standard Documents	5
3. Related Policies	5
4. Mongolian Laws and Regulations Review	5
Document Information	7

Introduction

1. Policy Number

This document is known as **HR-G6.1: Hours of work procedure.**

2. Purpose

The Hours of Work Procedure is to provide information on components that influence an employee's working hours such as, guidelines on the standard working day, overtime and nonstandard working hours.

3. Application

This Hours of Work Procedure applies to all employees of the Company who are employed under local terms and conditions of employment in Mongolia.

This Hours of Work Procedure does not apply to:

- contractors; and
- expatriate employees on International Assignment or direct hires. International
- Assignees should refer to the applicable work hour guidelines stipulated in their International Assignment agreement, or refer to the leave policy operating within their home business unit.

This Hours of work procedure replaces the following documents that previously governed Hours of Work for Oyu Tolgoi LLC:

- Concise Policy and Procedure Handbook, First Edition, January 2005, Ivanhoe Mines New Horizons;
- Oyu Tolgoi LLC Procedure in Roster, Overtime and Night shift (Resolution No. 09/11, 08/11, 07/11 March 21, 2012);
- Site Allowance (Resolution No. 10/11 March 21, 2012); and
- Procedure on the provision of Meal & Transportation allowance (Resolution No.05/11, March 21, 2011)

Any changes to Rio Tinto Global policies and standards, Mongolian labour laws or the Collective Agreement may result in changes to this procedure.

4. Commencement

This procedure applies from **1 September 2012.**

5. Authority and Management

The **Vice President Human Resources and Training** approved this Hours of work procedure on 1 September 2012.

It will be reviewed annually.

The **Vice President Human Resources and Training** is the custodian of this Hours of work procedure. Any requests for changes to this procedure must be addressed to this person and will be subjected to the appropriate review and approval processes.

Policy

1. Standard Work Hours

1.1. Standard working day

A normal working day is 8 hours and shall not normally exceed 12 hours work in a 24 hour period.

For office based employees, this is Monday to Friday 9:00am until 6:00pm with an unpaid meal break.

For site based employees, times of work hours vary according to department roster schedules.

Site based employees who are required to work on weekends will be provided by days off in lieu during their roster breaks.

1.2. Reduction of working hours

The hours of work per week of employees under 18 years of age and of disabled employees will be set according to Mongolian Labour law.

In non-standard working conditions, the Company shall adjust the hours of work to conform to health and safety standards as outlined in Non-Standard Working Conditions Allowances Policy.

1.3. Work breaks

An employee shall be given breaks from work for eating and resting according to their roster schedules.

A normal day-worker only roster will include an unpaid 60 minute meal-break. This break will not count as part of an employees worked hours. The timing of the break will be at the leaders' discretion and will be aligned with operational requirements.

A paid meal-break will be provided in operational areas where it is not feasible to have employees absent from the normal workplace due to either logistical or operational reasons.

This paid meal-break will count as part of an employees worked hours. Employees will be provided with a break of at least 12 hours between consecutive working shifts.

2. Non-Standard Work Hours

2.1. Night Hours

The period from 10pm to 6am shall be considered night hours and paid accordingly (see HR-D1 Allowances Policy).

2.2. Overtime

Employees are expected to fulfil job responsibilities within their normal working hours, as outlined in their conditions of employment.

In some circumstances, however, an employee may be required to work overtime outside of normal rostered hours to meet the requirements of the role. An employee must get management approval for all overtime prior to working any additional hours. Where an employee works overtime they will be compensated in accordance with their role (see HR- D1.1 Allowances Procedure).

2.3. Time in lieu (Credit Hours)

Time in lieu may be accrued and taken in accordance with the HR-H3 Leave policy and HR-H3.1 Leave procedure.

3. Standard Roster Schedules

3.1. Office and Site-based Roster Schedule

At all times the roster schedule will endeavour to meet the operational needs of the business and comply with the Company's requirements for health and safety of employees. Roster Schedules may be subject to change to fulfil these needs.

Employees are required to attend on time for the start of each scheduled shift and to remain at work for the full duration of the shift. Any absences from all or part of a scheduled shift must be covered by approved leave.

Appendices

1. Definitions

In this procedure document the following outlines the key terms and their meanings:

- **The “Company”** – The business units/functional groups of Oyu Tolgoi LLC;
- **Employee** – an individual who has entered into a contract of employment or employment agreement with Oyu Tolgoi LLC and who performs work for Oyu Tolgoi LLC under this arrangement;
- **Roster** – a fixed pattern of work and schedule of shifts;
- **Office based employee** – An employee whose role is based in an office not located on the Oyu Tolgoi mine site (e.g. Ulaanbaatar office and Dalanzadgad office);
- **Site based employee** – An employee whose role is based at Oyu Tolgoi site and works according to a scheduled roster time;
- **Day-worker** – An employee who works on only day shift;
- **Continuous Shift worker** – An employee who works on both day and night shifts.

2. Templates and Standard Documents

- Timesheet Forms;
- Leave Request Form.

3. Related Policies

The following processes support the execution of the Hours of work procedure:

- HR-H3 Leave Policy;
- HR-D1 Allowances Policy; and
- HR-D3 Non Standard Working Conditions Benefits and Allowances Policy.

4. Mongolian Laws and Regulations Review

Through putting forward this procedure for review and approval, the policy owner acknowledges that a review of the implications of the implementation of this document under Mongolian laws and regulations for Oyu Tolgoi has been completed.

This review has identified the following Mongolian laws and regulations that are relevant to this procedure, and the implications of these laws and regulations has been included into the document.

- Labour Law, 1999;
- Law on Social Protection of Persons with Disabilities, 2005;
- Law on Transferring 5 Working Days ,1997;
- Law on Public Holidays, 2003;

- Supreme Court Resolution on Interpretation of Some Provisions of Labour Law No.33, 2006;
- The Cabinet Resolution on The Procedure for Consolidated Calculation Working Hours No. 122, 1999; And
- Social Protection and Labour Minister's Order on the Guidance for Granting Annual Leave No.166, Annex 1, 2000

Document Information

File Name	HR-G6.1: Hours of Work Procedure
Description	Provides information on components that influence an employee's working hours such as guidelines on the standard working day, overtime and non-standard working hours and the provision of public holidays.
Original Author(s)	Jared Armstrong and Deloitte Consultants
Creation Date	September 2012

Revision History

Version	Revision Date	Author(s)	Revision Notes
1			
2			
3			

Document Approval

Date	Approver Name	Approver Signature	Company Seal Stamp
1/09/2012	<u>OT Policy Owner:</u> Nadia Sodnom Senior Manager – HR Policy and Procedure		
1/09/2012	<u>Policy Approver:</u> Michael Beck VP Human Resources & Training		