

Memorandum of Understanding Regarding Rehired Employees

1. This MOU pertains to any BLA covered bargaining unit employee reemployed by ASARCO since January 1, 2021, after a break in service with ASARCO (“Rehired Employee”).¹
2. As set forth in this MOU, such Rehired Employee shall have their seniority restored, for vacation purposes only, as if the Rehired Employee had no break in credited length of service.
3. The restoration of seniority for a Rehired Employee shall begin for the year 2023. There shall be no retroactive restoration of service for the years 2021 and 2022.
4. Following the effective date of this MOU, Rehired Employees shall be entitled to one week of vacation for use in 2023. Such Rehired Employees may also earn another week of vacation for use in 2023 upon working 520 hours in 2023.
5. Any unused vacation in 2023 shall be paid out to Rehired Employees in January 2024.
6. Rehired Employees, who worked the requisite 1,040 hours in 2023, shall thereafter on January 1, 2024 receive their entire vacation entitlement based on their restored seniority for use in 2024.
7. Any Rehired Employees who failed to work the requisite number of hours in 2023 shall be entitled to one week of vacation as of January 1, 2024 (constituting their PST allotment for 2024). Such Rehired Employees may also earn another week of vacation for use in 2024 upon working 520 hours in 2024.
8. This MOU shall expire on December 31, 2024, unless superseded by an executed BLA.

For the Company: Stacy Linder

Date: 8/17/2023

For the Union: [Signature]

Date: 8/17/2023

¹ It is agreed that the execution of this MOU does not prejudice ASARCO’s position that the MOU only pertains to any bargaining unit employee reemployed by ASARCO at Ray, Amarillo or Hayden (except for Electrical/Powerhouse at Hayden Smelter).