

## 1.1 PURPOSE

1.1.1 The purpose of this policy is to provide employees with guidance that will maintain an environment that is free of violence and the threat of violence. TERRY R PITT CONSTRUCTION wants to prevent internal or external theft of information or equipment, as well as prevent violence of any sort from occurring either between coworkers, from a non-employee to an employee or company assets, or from an employee to the company. TERRY R PITT CONSTRUCTION maintains a zero-tolerance standard of violence in the workplace.

## 1.2 RESPONSIBILITIES

1.2.1 The safety department will act as a threat assessment/crisis management team that will, along with other duties, help to implement this policy, oversee company response to and evaluate any instance of, reported workplace violence.

1.2.2 Supervisors are responsible for ensuring that their employees abide by all security policies and procedures, as well as for notifying the safety department of any security related problems.

1.2.3 Employees are responsible for complying with all security policies and procedures and notifying their immediate supervisor or the safety department of any security-related problems.

## 1.3 PROHIBITED BEHAVIOR

1.3.1 Violent behavior of any kind or threats of violence, either implied or direct, are prohibited at TERRY R PITT CONSTRUCTION, in properties, and at company-sponsored events. Such conduct by a TERRY R PITT CONSTRUCTION employee will not be tolerated.

1.3.2 Retaliation against persons who make a complaint regarding violent behavior or threats of violence made to them is also prohibited.

1.3.3 In keeping with this policy, TERRY R PITT CONSTRUCTION prohibits employees from engaging in any act either on company premises or during work-related duties that:

1.3.3.1 Threatens the safety of an employee and/or customer.

1.3.3.2 Affects the health, life, or well-being of an employee and/or customer.

1.3.3.3 Results in damage to company, employee, or customer property.

1.3.4 Such acts include, but are not limited to:

1.3.4.1 Direct threats or physical intimidation

1.3.4.2 Implications or suggestions of violence

1.3.4.3 Stalking

- 1.3.4.4 Possession of weapons of any kind on company property, including parking lots, other exterior premises, or while engaged in activities for TERRY R PITT CONSTRUCTION in other locations or at company-sponsored events, unless such possession or use is a requirement of the job
- 1.3.4.5 Assault of any form
- 1.3.4.6 Physical restraint, confinement
- 1.3.4.7 Dangerous or threatening horseplay
- 1.3.4.8 Loud, disruptive, or angry behavior or language that is clearly not part of the typical work environment
- 1.3.4.9 Blatant or intentional disregard for the safety or well-being of others
- 1.3.4.10 Commission of a violent felony or misdemeanor on company property
- 1.3.4.11 Any other act that a reasonable person would perceive as constituting a threat of violence
- 1.3.4.12 Threatening, intimidating, coercing, harassing, or assaulting an employee or customer
- 1.3.4.13 Sexually harassing an employee or customer
- 1.3.4.14 Carrying concealed weapons on company property or concealing a weapon on company property
- 1.3.4.15 Allowing unauthorized persons access to the building or confidential information without management's permission
- 1.3.4.16 Using, duplicating, or possessing keys to the building or offices within the building without authorization
- 1.3.4.17 Stealing, or attempting to steal, property of the company, an employee, or customer
- 1.3.4.18 Damaging, or attempting to damage, property of the company, coworker, or customer

## 1.4 ANTI-HARRASSMENT

- 1.4.1 Harassment, including sexual harassment, is prohibited by federal and state laws. This policy prohibits harassment of any kind and TERRY R PITT CONSTRUCTION will take appropriate action swiftly to address any violations of this policy. The definition of harassment is verbal or

# Workplace Violence

physical conduct designed to threaten, intimidate, or coerce. Also, verbal taunting (including racial and ethnic slurs) that, in the employee's opinion, impairs his or her ability to perform his or her job.

- 1.4.2 Verbal: Comments, epithets, slurs, or negative stereotyping that are not flattering or are unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability, or appearance.
- 1.4.3 Nonverbal: Distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, gender identity, or marital or other protected status.
- 1.4.4 Sexual harassment in any form is prohibited under this policy. Sexual harassment is a form of discrimination and is unlawful under Title VII of the Civil Rights Act of 1964. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature...when...submission to or rejection of such conduct is used as the basis for employment decisions...or such conduct has the purpose or effect of...creating an intimidating, hostile, or offensive working environment."
- 1.4.5 Sexual harassment includes unsolicited and unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature, when such conduct:
  - 1.4.5.1 Is made explicitly or implicitly a term or condition of employment.
  - 1.4.5.2 Is used as a basis for an employment decision.
  - 1.4.5.3 Unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or otherwise offensive environment.
- 1.4.6 Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are acceptable to and welcomed by both parties, are not considered to be harassment. There are basically two types of sexual harassment:
  - 1.4.6.1 *Quid pro quo* harassment, where submission to harassment is used as the basis for employment decisions. Employee benefits such as raises, promotions, better working hours, etc., are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment.
  - 1.4.6.2 *Hostile work environment* where harassment creates an offensive and unpleasant working environment. Hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials, or even unwelcome physical contact as a regular part of the work

# Workplace Violence

environment. Texts, emails, cartoons, or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

- 1.4.7 The office strongly discourages romantic or sexual relationships between a management or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. Such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, at a later date, by the staff member him/herself, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion, or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, parties need to be aware that one or both may be moved to a different department or other actions may be taken.
- 1.4.8 If an employee enters into a consensual relationship that is romantic or sexual in nature with a member of their staff (an employee who reports directly or indirectly to them) or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the manager. Although the parties may feel that what they do during non-working hours is their business and not the business of the office, because of potential issues regarding *quid pro quo* harassment, the office has made this a mandatory requirement. This requirement does not apply to employees who do not work in the same department nor to parties who do not supervise or otherwise manage responsibilities over the other.
- 1.4.9 No hardship, loss, or benefit and no penalty may be imposed on an employee as punishment for:
- 1.4.9.1 Filing or responding to a bona fide complaint of discrimination or harassment.
  - 1.4.9.2 Appearing as a witness in the investigation of a complaint.
  - 1.4.9.3 Serving as an investigator.
- 1.4.10 Retaliation or attempted retaliation is a violation of this policy and anyone who does so will be subject to severe sanctions up to and including termination.

## 1.5 COMPLAINT PROCEDURE

- 1.5.1 The following complaint procedure will be followed in order to address a complaint regarding harassment, discrimination or retaliation.
- 1.5.2 A person who feels harassed, discriminated, or retaliated against may initiate the complaint process by filing a written and signed complaint with TERRY R PITT CONSTRUCTION's management. No formal action will be taken against any person under this policy unless a written and signed complaint is on file containing sufficient details to allow HR representatives to determine if policy may have been violated. The complainant (the employee making the complaint)

# Workplace Violence

may use the complaint form. If a supervisor or manager becomes aware that harassment or discrimination is occurring, either from personal observation or as a result of an employee coming forward, the supervisor or manager should immediately report it to the HR representative.

- 1.5.3 Upon receiving the complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the HR representative will notify TERRY R PITT CONSTRUCTION and review the complaint with the company’s legal counsel.
- 1.5.4 Within five working days of receiving the complaint, the HR representative will:
  - 1.5.4.1 Notify the person charged (respondent) of a complaint.
  - 1.5.4.2 Initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
- 1.5.5 During the investigation, the HR representative, together with legal counsel or other management employees, will interview the complainant, the respondent, and any witnesses to determine whether the alleged conduct occurred.
- 1.5.6 Within 15 business days of the complaint being filed (or the matter being referred to the HR representative, the HR representative or other person conducting the investigation will conclude the investigation and submit a report of his or her findings to TERRY R PITT CONSTRUCTION.
- 1.5.7 If it is determined that harassment or discrimination in violation of this policy has occurred, the HR representative will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
  - 1.5.7.1 The severity, frequency, and pervasiveness of the conduct
  - 1.5.7.2 Prior complaints made by the complainant
  - 1.5.7.3 Prior complaints made against the respondent
  - 1.5.7.4 The quality of the evidence (first-hand knowledge, credible corroboration, etc.)
- 1.5.8 If the investigation is inconclusive or it is determined that there has been no harassment or discrimination in violation of this policy, but some potentially problematic conduct is revealed, preventive action may be taken.
- 1.5.9 Within five days after the investigation is concluded, the HR representative will meet with the complainant and the respondent separately in order to notify them in person of the findings of the investigation and to inform them of the action being recommended by the HR representative.

# Workplace Violence

- 1.5.10 The complainant and respondent may submit statements to HR challenging the factual basis of the findings. Any such statement must be submitted no later than five working days after the meeting with the HR representative in which the findings of the investigation are discussed.
- 1.5.11 Within ten days from the date HR meets with the complainant and respondent, TERRY R PITT CONSTRUCTION will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with HR and other management staff as may be appropriate, and decide what action, if any, will be taken. The HR director will report the company's decision to the complainant, the respondent and the appropriate management assigned to the department in which the complainant and the respondent work. The company's decision will be in writing and will include finding of fact and a statement for or against disciplinary action. If disciplinary action is to be taken, the sanction will be stated.
- 1.5.12 During the complaint process, while the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person regarding action by the office cannot be guaranteed in every instance, they will be protected to as great a degree as is legally possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the company's legal obligation to act upon the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be strictly maintained by the company and those involved in the investigation. In addition, any notes or documents written by or received by the person conducting the investigation will be kept confidential to the extent possible and according to any existing state or federal law.
- 1.5.13 Any person electing to utilize this complaint resolution procedure will be treated courteously, the problem handled swiftly and as confidentially as feasible in light of the need to take appropriate corrective action, and the registering of a complaint will in no way be used against the employee nor will it have an adverse impact on the individual's employment status. While reporting such incidents would be a difficult personal experience, allowing harassment activities to continue will most certainly lead to less desirable outcomes. Employees are strongly urged to utilize this procedure. Filing groundless and malicious complaints is an abuse of this policy and is prohibited.

## 1.6 SITE SECURITY/PHYSICAL ACCESS

- 1.6.1 It is TERRY R PITT CONSTRUCTION's policy to control physical access to the facility and its assets as one method of reducing the potential of conflict with other persons outside of the workforce. It is in the best interest of every employee to follow all procedures listed here.
- 1.6.2 Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, must supply a copy of the signed order to their supervisor. The supervisor will provide copies to the safety department and human resources department.

## 1.7 BACKGROUND CHECKS

- 1.7.1 It is in the best interest of TERRY R PITT CONSTRUCTION to screen all applicants for a history of violence, including convictions for criminal offenses. It is TERRY R PITT CONSTRUCTION's policy to check the backgrounds of all job applicants for criminal records and evidence of violent acts of behavior in an objective and fair manner.

## 1.8 REPORTING AND INVESTIGATING

- 1.8.1 An employee who is the victim of violence, believes they have been threatened with violence, or witnesses an act or threat of violence towards anyone else will take the following steps:
- 1.8.1.1 If an emergency exists and the situation is of immediate danger, employees must contact local officials by dialing 9-1-1 and take available, appropriate emergency steps to protect themselves from immediate harm, such as leaving the area.
  - 1.8.1.2 If the situation is not one of immediate danger, employees will report the incident to their supervisor or safety director as soon as possible to complete an *Incident Report*.
- 1.8.2 In keeping with a zero tolerance of workplace violence, all reported incidents will be investigated. In the interest of a safe and productive workplace. An employee who engages in prohibited conduct will be subject to appropriate disciplinary action, as determined by the findings of a fair and impartial investigation. Such discipline may include warnings, reprimand, suspension, or immediate termination. In addition, certain actions may cause the employee to be held legally liable under state and/or federal law.
- 1.8.3 It is the responsibility of all employees to report incidents of theft, misuse, or destruction of property to management. All incidents involving theft, destruction, or misuse of company assets, resources, and property and/or employees' personal belongings must be reported. Reports are to be made directly to the operations manager within 24 hours.
- 1.8.4 Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. The employee's supervisor will cause to be initiated an investigation into potential violation of work rules/policies. The operations manager will refer the matter to local police for their review of potential violation of civil and/or criminal law, if necessary.
- 1.8.5 Procedures for investigating incidents of workplace violence include:
- 1.8.5.1 Visiting the scene of an incident as soon as possible
  - 1.8.5.2 Interviewing injured and threatened employees and witnesses
  - 1.8.5.3 Examining the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator

- 1.8.5.4 Determining the cause of the incident
- 1.8.5.5 Taking mitigating action to prevent the incident from recurring
- 1.8.5.6 Recording the findings and mitigating actions taken
- 1.8.6 In appropriate circumstances, TERRY R PITT CONSTRUCTION will inform the reporting individual of the investigation results. To the extent possible, TERRY R PITT CONSTRUCTION will maintain the confidentiality of the reporting employee and the investigation but may need to disclose results in appropriate circumstances (ex. in order to protect individual safety).

## 1.9 DISCIPLINARY PROCEDURES

- 1.9.1 While workplace violence is unacceptable, a fair and impartial policy is in place to assure employees of fair and equitable treatment when accused or found in violation of this policy.
- 1.9.2 Episodes of workplace violence can only be eliminated if employees are willing and able to report threats, violent acts, and other unsafe conditions. To encourage employees to come forward without the fear of retaliation, TERRY R PITT CONSTRUCTION promises to promptly investigate all complaints of retaliation and impose appropriate disciplinary action, up to and including termination.
- 1.9.3 An employee who exhibits violent behavior may be subject to criminal prosecution and will be subject to disciplinary action up to and including dismissal. Violent threats or actions by a non-employee may result in criminal prosecution. TERRY R PITT CONSTRUCTION will investigate all complaints filed and investigate any possible violation of this policy which we are made aware.

## 1.10 TRAINING

- 1.10.1 It is in the best interest of TERRY R PITT CONSTRUCTION and its employees to be well-informed on the nature of, and self-defense against, workplace violence. To that end, training is mandated under this policy.
- 1.10.2 Many security measures have been presented, but without the dedication of employees, the effectiveness of site security will be greatly diminished and some measures may not work at all. It is our goal to raise employee dedication to and involvement in our plan by providing security awareness training to employees.
- 1.10.3 The safety department will provide training and instruction on general workplace security practices for employees, including supervisors.
- 1.10.4 Training and instruction will be provided as follows:
  - 1.10.4.1 To all current employees when the policy is first implemented



- 1.10.4.2 To all newly hired employees, supervisors, or employees given new job assignments for which specific workplace security training for that job assignment has not previously been provided
- 1.10.4.3 To affected employees whenever management is made aware of a new or previously unrecognized hazard
- 1.10.5 Workplace security training and instruction includes, but is not limited to, the following:
  - 1.10.5.1 Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards
  - 1.10.5.2 Methods to diffuse hostile or threatening situations
  - 1.10.5.3 Escape routes
  - 1.10.5.4 Explanation of this policy
- 1.10.6 Specific instructions will be provided to all employees regarding any workplace security hazards unique to their job assignment.

*Terry R.*

**PTI**  
CONSTRUCTION INC.

