
24.0 RULES

24.1 General

1. Workers are required to wear personal protective equipment consistent with company policy and appropriate for the work in compliance with client procedures and government regulations.
2. Report to your supervisor and the safety coordinator all unsafe acts, unsafe conditions and near miss incidents.
3. Report all injury or damage accidents immediately.
4. Perform all work in accordance with safe work practices and your supervisor's direction.
5. Maintain good housekeeping of your work area.
6. Operate all vehicles and mobile equipment in accordance with site rules and highway regulations.

24.2 Prohibitions

The following are prohibited at all times on all company property and all company job sites:

1. Possession or consumption of alcohol or illegal drugs
2. Entrance into manholes or trenches.
3. Possession of firearms.
4. Theft, vandalism.
5. Damaging, disabling or interfering with safety, fire fighting or first aid equipment.
6. Arriving for work or remaining at work when ability to perform the job safely is impaired.
7. No portable AF/FM radios or cassette players (ie. Walkman).

24.3 Violence

Beirsto Lehnern Ketchum is committed to the development and maintenance of a safe and secure work environment for staff. In keeping with this commitment, administrative staff at all levels are expected to take firm and decisive action in responding to behavior which causes or threatens harm to persons or property.

Staff who are responsible for serious misconduct of this kind are to face job termination and, where appropriate, referral to police authorities.

Beirsto Lehnern Ketchum will support its staff in taking appropriate action consistent with this policy.

Definitions

1. Violence in this policy shall mean any verbal or physical action taken which threatens or results in the inflicting of physical, emotional, or psychological distress or bodily harm.
2. A weapon is any object which is:
 - a) designed as a weapon, or
 - b) used in a threatening manner to inflict bodily harm.
3. Criminal offence is action which contravenes the criminal code of Canada or any together Federal or Provincial criminal or quasi-criminal legislation e.g. Food and Drug Act.

Guideline

1. Responses to work-related offences which meet the above definitions are to be based upon the following:
 - a) effect of the offence on other staff and community,
 - b) offender's previous record.
2. Work-related offences which affect the safety and security of staff or the public are to be responded to in accordance with the following provisions:
 - a) offences to which this section refers include the following:
 - i) use, possession or, or active contact with weapons,
 - ii) threats which, in the judgment of management, endanger others,
 - iii) theft,
 - iv) assault causing harm,
 - v) vandalism,
 - vi) use, possession of, distribution of or active contact with drugs or alcohol,
 - vii) personal or sexual harassment,

- viii) extortion,
 - ix) participation in or association with gang-related criminal activity, and
 - x) other forms or criminal activity.
- b) Unless valid reason exists for taking other action, as determined by management or designate, a staff member who is found responsible for a serious or repeated offence of the kind referenced above is to be:
- i) reported to the police by Management and/or
 - ii) terminated of their employment.
- c) Unless there are valid reasons for other action as determined by Management, staff who have been terminated will not be considered for re-hire.
3. Offences are to be referred to police in accordance with the following provisions:
- a) Unless there is valid reason for other action as determined by Management, serious offences as identified above are to be referred to the police.
 - b) In arriving at a decision regarding police involvement, Management is to give consideration to:
 - i) the nature of the offence,
 - ii) whether or not the offence violates law,
 - iii) the effects of the offence on staff and the community,
 - iv) the wishes of those who have suffered harm.
 - c) The provisions of Section 4 do not preclude the right of the victim of an offence to make direct contact with the police.

24.4 Protection of Staff Policy

Beirsto Lehnern Ketchum requires employees and all others who visit Beirsto Lehnern Ketchum worksites to conduct themselves in a manner which promotes and protects the best interests of staff and colleagues.

Management recognizes that, on occasion, members of its staff will have to deal with members of the public or colleagues who exhibit anger, express their frustrations or demands in a manner which is demeaning to the well-being of a staff member(s). Management expects its staff to respond to such challenges with a professionalism that may defuse the causes of such behavior and could allow problems or concerns to be resolved.

Beirsto Lehnern Ketchum also recognizes that on rare occasions the professional behavior of its staff may be unsuccessful in defusing offensive behavior by others. Management believes it has an obligation to support, assist and educate its staff with

respect to issues surrounding abuse, harassment or defamation associated with the carrying out of their duties. Management expects such situations to be addressed, where possible, through informal resolution processes. These processes include mediation or conciliation. Where such processes are fruitless or if the severity of the situation warrants, Management may use legal remedies.

Management of Beirsto Lehnars Ketchum is responsible for the administration of this policy.

Guideline

1. Definitions

- a) **Abuse** is a violation of rights, dignity and worth of other individuals. This includes any act of physical assault and/or verbal expression that humiliates, degrades, elicits fear or takes unfair advantage of staff member.
- i) **Verbal Abuse** may take the form of threats, name calling, gestures or swearing.
 - ii) **Physical Abuse** may include striking out, grabbing, pulling or kicking an individual or other such similar activity that may result in injury. Legally, it is referred to as assault.
- b) **Defamation** is any expression that attacks or injures the reputation or honor of an individual or recognized group by amongst other things, false and malicious statements. Defamatory expressions malign, slander or libel an individual or recognized group.
- c) **Harassment** means any comment, conduct or gesture or contact of a discriminatory nature that is likely to cause offence or humiliation to an employee. The Alberta Human Rights Commission states: *harassment occurs when one person subjects another to unwelcome verbal or physical conduct because of:*
- *Race, religious beliefs, color, gender, physical or mental disability, age, ancestry, or place of origin.*
 - *Unwanted physical contact, tension, demands, jokes or insults are harassment when they negatively affect the working environment (and/or) the ability to obtain services.*

Harassing behavior may be either criminal or civil in nature.

- i) **Criminal harassment** may include:
- (1) Oral – threats that give rise to a genuine concern for personal safety.
 - (2) Physical – abuse as described above or watching of besetting (stalking).
 - (3) Telephone – conveying threats by telephone that give rise to a genuine concern for safety.

- (4) Written – threats conveyed in writing, on paper or electronic mail, which give rise to a genuine concern for safety.

ii) **Civil harassment** may include:

- (1) Oral – shouting, swearing or the use of personally demeaning, sarcastic expressions.
- (2) Physical – intentionally using an intimidation presence or entering Beirsto Lehnrs Ketchum Property without permission.
- (3) Telephone – numerous and lengthy calls that disrupt an employee's ability to attend to duties.
- (4) Written – frequent detailed frivolous or vexatious written complaints that require an employee to spend inordinate time investigating thus detracting the employee from attending to duties.

2. Communicating with Angry Persons

- a) Beirsto Lehnrs Ketchum recognizes that in the performance of their duties, staff will be faced with individuals experiencing serious levels of frustration, concern or anger. Such individuals may initially conduct themselves in an uncivil and rude manner. Wherever possible, staff members are to use communication techniques that defuse frustration or anger and allow problem resolution to occur. In working with angry, concerned persons, Beirsto Lehnrs Ketchum expects staff members to:
 - b) Conduct themselves in a civil and cordial manner.
 - c) Anticipate, where possible, personal sensitivities and avoid comments or behaviors that arouse those sensitivities.
 - d) Call for support from a colleague if rude, confrontational behavior persists.
 - e) Assert their legal rights whilst meeting their responsibilities.
 - f) Adjourn meetings with angry persons if, in their judgment, there is no possibility, at the time, for civil discourse.

3. Procedures – General

- a) When a staff member believes that he/she has been subjected to physical abuse or criminal harassment, the individual is to immediately provide a written report of the incident(s) to their supervisor and the police.
- b) When an individual believes that he/she has been subjected to criminal or civil abuse, harassment or defamation, he/she is to keep records, where possible, of the experience(s). The incident(s) is to be reported to their immediate supervisor who may inform a Supervisor or Management.
- c) If the matter brought to the attention of a Supervisor is not resolved through the intervention of the Supervisor, the matter will be reported to Management who may consult with legal counsel.

- d) If the intervention of the Supervisor or Management does not satisfactorily resolve the matter, it will be referred to legal counsel for advice and possible action.

4. Steps to be Taken in Dealing with Harassment

- a) Seek the assistance of an immediate supervisor in drafting a plan to address the issue.
- b) Make every attempt to meet with the individual(s). Have your immediate supervisor present.
- c) Require that the allegations associated with the harassment be detailed and specific, not vague or nebulous.
- d) Listen. Try to understand the other person's perspective. There may be an element of truth in the concern being expressed.
- e) The goal is to resolve the problem to the mutual satisfaction of both parties. Try to elicit the complainant's help to reach a satisfactory resolution.
- f) Document. Keep an accurate written record of events, times, places and witnesses.
- g) If the harassment persists, act on Regulation C above both orally and in writing.

5. Systemic Investigations

When Management has reason to believe that harassment or abuse of an employee(s) has occurred but a complaint has not been registered, Management shall investigate the matter under the following conditions:

- a) There is a focused pattern or inquiries, complaints or behavior over time that suggest the existence of a specific problem; or,
- b) There is reason to believe a broader or systemic problem exists in the learning or work environment that causes, contributes to or encourages harassment; or
- c) As a result of an investigation, a complaint is not supported but there is reasonable evidence that a broader systemic problem exists.
- d) Prior to investigating, Management shall describe in writing the conditions providing reasonable grounds for an investigation.
- e) Where Management authorizes an investigation, the appropriate parties will be advised of the intent to conduct a systemic investigation, the reasons for initiating the investigation and the process or procedures to be implemented for the investigation.

The results of any systemic investigation undertaken by Management in a written report and in a manner that respects the rights of individuals and in a manner that respects the provisions of the Freedom of Information and Protection of Privacy Act.

6. False Charges

- a) If an investigation determines that complaint(s) made by an employee was intentionally false, malicious, or vindictive, the employee shall be subject to disciplinary action including dismissal or legal action as the circumstances warrant.

THE BIG PICTURE: A Process for Resolving Conflict

KEEP LINES OF COMMUNICATION OPEN

		Problem Solving Process
Step 1	Set the Stage: Names, date, etc. A consciously established context	Be Prepared
(Establish a neutral, safe setting)		
Step 2	Define the Problem	Identify the Issue
(Skill to emphasize: paraphrasing)		
Step 3	Determine Interests	Determine Interests
(Skill to emphasize: reframing)		
Step 4	Generate Solutions	Generate Solutions
(Skill to emphasize: brainstorming)		
Step 5	Action Plan	Determine Solution
(Select best solutions. Develop plan for who will do what.)		
Step 6	Follow Up Action	Access the Solution

A two-step process: Soft on people, hard on issue.

Refocusing on issues: sell your message – their way!

24.5 Conflict Resolution Policy

Policy

Beirsto Lehnrs Ketchum believes that concerns should be viewed as opportunities to improve situations. All concerns should be treated seriously and every attempt made to resolve them at the appropriate level. Beirsto Lehnrs Ketchum believes that when there is a conflict, the two parties involved should meet to resolve the issue first. At this and each succeeding level, attempts should be made to resolve concerns in an open, honest and sincere manner.

Procedure

1. Always view a concern as an opportunity for improvement. If a concern is unfounded, it is an opportunity to improve understanding. If a concern is founded on an error, omission or improper act, procedure or policy, it is an opportunity to make a correction to improve the situation. Thank people for their willingness to come forward and for their cooperation in attempting to resolve problems and thereby improve situations.
2. Concerns should be referred to the party who is the object of the concern, in cooperation with that person's respective supervisor. The concern will be handled by someone different only when the allegation itself implies serious threat to a staff member. The following protocol is provided as a procedural guide to direct concerns to the appropriate personnel. If satisfaction is not achieved at one level, then the concerned party should proceed to the next level.
 - a) The staff member about which the concern has been expressed
 - b) Immediate supervisor
 - c) Bruce Beirsto, John Lehnern, Ian Ketchum
3. Schedule an appropriate time to meet with the concerned party. Do not allow a confrontation in the immediate workplace. Sometimes meetings should be deferred for a "cooling off period". Meeting immediately allows the concerned party to vent, but seldom is conducive to problem solving. Staff should keep a supervisor informed of unresolved concerns.
4. Listen to the concerns with courtesy and respect. Hear the person out and resist the tendency to become defensive, because to do so may only hamper the situation and prevent resolution of the concern. This is an opportunity to generate some positive public relations by being sensitive, caring, and responsive.
5. Take notes. This assures the other person that he or she is being heard and that you want to remember all of the important points. These notes may be used later to reiterate points you need to make in a follow-up phone call or letter. Exhibit 1 may be used or filled out later based on your own notes. Check for accuracy and understanding. Check for the accuracy of what you heard from each other.
6. Define the concern clearly and determine each other's interests. If resolution fails after referral to source, encourage the concerned party to supply a written statement that identifies what the concern is and what the circumstances were that led to the concern. Obtain the agreement of the concerned party that your understanding of the concern is clear. Use the form "A Process for Resolution" (Exhibit 1) to document this understanding. Provide a copy of this document to all affected parties. Know clearly the respective interests you are dealing with before generating solutions and initiating action.
7. If a concern cannot be resolved by the object of the concern or another official, the appropriate supervisor should investigate the circumstances of the concern and provide a mediated setting for resolution.

8. Advise the parties to a concern that your purpose in acting on a concern is to resolve the issue if at all possible.
9. Advise the person about whom the concern has been expressed of details, and if appropriate, provide an opportunity for them to attempt to resolve the concern at that level and/or refer the concern to a proper official.
10. Mediators must provide both parties to the concern with ample opportunity to present their side of the story. If required, they should personally talk to witnesses and gather evidence so as to clearly understand the background, circumstances and incidents giving rise to the concern.
11. Mediators must promote good communications and clear understanding of the facts. Where stories are in conflict, they must attempt to bring parties together to review the facts and eliminate errors or misunderstandings that might be at the root of the concern.
12. Conclusions must be based on accurate information and not be drawn until all information has been gathered. Attempt to obtain the agreement of the parties to the concern that your conclusions are reasonable in light of the evidence.
13. Persons handling concerns must take appropriate action to correct errors or omissions by initiating change where matters fall within their authority and by submitting recommendations for change where matters are not within their realm of authority.
14. If a third party becomes involved, concerns must be documented by keeping a written record of meetings, conversations, interview, and conclusions. A report detailing all of the information, actions taken and/or recommendations must be prepared. File a copy of the report with personnel who may have been the object of the concern, also with other proper officials. The form "A Process for Resolution" (Exhibit 1) should be used. Indicate whether or not you consider the matter to be resolved, and what actions, if any, are to be taken or what recommendations are presented. Exhibit 2 provides a procedural guide consistent with the Exhibit 1 template.
15. Ongoing or chronic abuse/harassment of staff or clients shall be reported to the immediate supervisor.

BEIRSTO LEHNERS KETCHUM ENGINEERING LTD.

A PROCESS FOR RESOLUTION

EXHIBIT 1

1. Concerned Party: _____ Recipient: _____
Referred to: _____ Date: _____

2. Define the Problem (use reverse if necessary)

3. Determine Interests:

Client Interest	
Staff Interest	
Public Interest	
Other	

4. Generate Solutions

5. Action Plan

Client	
Staff	
Public	
Other Person Will	

6. Follow-up Action (Steps to Closure):

After the Fact:

Tips for Using “The Process for Resolution” Form

The numbered tips below match the numbered steps on “The Process for Resolution” form.

1. Definitions:

Complainant: Insert the name of the person raising a concern.

Recipient: Identify the person dealing with the complaint.

Interests: What must be considered for that person.

2. Define the Problem:

The person handling the concern should take the time necessary to clarify and ensure common understanding of the issue to be addressed.

3. Determine Interests:

Consider all parties affected. “Other” could include colleagues, staff members, members of the public, etc. What “needs” do the participants have that must be considered? What is important to each participant?>

4. Generate Solutions:

Brainstorm and consider alternatives – it is not necessary to record portions on this form.

5. Action Plan:

Record actions to be taken by each participant. A minimum guaranteed action may be simply understanding of others’ interests. Change or add headings as required.

6. Follow Up:

Determine actions (if necessary) needed to assist in bringing closure, e.g. follow-up letter or phone call. Not any time frame for follow-up.

After the Fact:

In the event closure was not achieved, record action taken, who the concern was referred to, etc.

Name: _____

Date: _____

24.6 CONSEQUENCES

Failure to comply with any of the rules, prohibitions or policies set out in this manual will result in the following 3 step process:

1. First infraction – Verbal Warning
2. Second infraction – Written Warning
3. Third infraction – Dismissal

DATE: _____

SIGNED: _____