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|                           | <p align="center"><b>Berry Bros. General Contractors, Inc.</b><br/> <b>Corporate Policy Procedure</b></p> <p align="center"><b>(HSE) Health, Safety &amp; Environmental</b><br/> <b>Policies and Procedures Manual</b></p> |                |
| Issue Date: 05-21-08      |  | Section # 17   |
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| Approver: Joe Berry       |  | Revision: 4    |
| <b>DISCIPLINARY RULES</b> |  |                |

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**SUBPART A - PURPOSE**

It is the purpose and intent of Berry Bros. to provide a guideline for our employees to display outstanding conduct and behavior at all times. This applies not only to the personnel working in the offices but to the employees working in the field representing Berry Bros. As we carry-out our duties we come in contact with Clients and potential Clients therefore it is imperative that we make a “Positive” impression. As the TV commercial says....”You only get one chance to make a good first impression” We never know who is observing us.


**SUBPART B - POLICY**

Notification of either a safety or company violation will be as follows:

- First Offense – Verbal Warning
- Second Offense – Written Warning and possible suspension
- Third Offense – Written Warning and possible suspension or termination.

Termination of employment may occur for any serious violation no matter if it is the first offense or third offense. Employees will not be eligible for re-employment if terminated for violations of safety or company policies.

Safety violations include all of BBGCI polices as well as those of our client’s. All disciplinary action should be done one-on-one and administered by the highest ranking BBGCI or affiliated supervisor on the jobsite.

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## **SUBPART C - WHAT CONSTITUTES A VIOLATION**

Not following verbal or written safety procedures, guidelines, rules, horse play, failure to wear selected PPE, abuse of selected PPE, etc. See list of rules included in this document. It is also important to inspect the work area to ensure compliance with safety rules and policies before work commences.

## **SUBPART D - ENFORCEMENT**

The HR Department for BBGCI will maintain the records of any disciplinary action taken against a Berry Bros. employee. A copy of the disciplinary write-up will be forwarded to the HR Department in Berwick, LA where it will be kept in the employee's personnel folder. The program is intended to be reinforced by any and/or managers, supervisors, superintendents, foremen, project managers, or administrative officers.

A disciplinary report will be completed stating the grievance against the individual or individuals clearly defining what the problem is and what the disciplinary action recommended should be. This shall be presented to the person in charge, who in turn shall contact the individual or individuals and present the grievance to them. The accused individual will have the opportunity to dispute the allegations set forth against him or her.

Following the procedures after a safety violation notice has been issued shall include a meeting of the HS&E/HR Department manager and/or coordinator to discuss the infraction and inform the individual(s) of the rule or procedure that was violated and the corrective action that will be taken against them.

**THE FOLLOWING IS A LIST OF GENERAL RULES THAT APPLY TO ALL EMPLOYEES. IT IS NOT A TOTAL LISTING AND IS SUBJECT TO BEING EDITED AT A FUTURE DATE. THESE RULES APPLY TO ALL EMPLOYEES INCLUDING MANAGERS, SUPERVISORS, SUPERINTENDENTS, FOREMEN, PROJECT MANAGERS, ADMINISTRATIVE, NO EXCEPTIONS:**

1. Parking in reserved and/or visitors areas, driveways or any unauthorized areas is forbidden.



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2. Use the “Enter” driveway to enter the property and the “Exit” driveway to leave the property. (This is waved in the case of large transports that have limited mobility.)
3. Failure to be at your workstation at starting time, or following break(s), including lunch period constitutes a violation.
4. Leaving your workstation for unauthorized breaks or before the end of a work shift without proper authorization is a violation.
5. Deliberate falsification of personnel or other records is a violation.
6. Deliberately altering another employee’s time card is a violation.
7. Absence from work without reasonable cause. (It is always extremely important that you call in!) is a violation. Speak to your supervisor or the Human Resource Manager about attendance control procedures.
8. Possession of weapons on designated Berry Bros. premises may be forbidden.
9. Insubordination. Refusing to obey orders or giving grief to a Foreman or a Supervisor shall be considered insubordination. Any display of aggressive or violent behavior will also be considered insubordination as well as refusal or failure to perform your assigned job or follow specific instructions is a violation.
10. Threatening, intimidating, using abusive language, coercing or interfering with any employee or any supervisor at any time is a violation.
11. Profanity. Any manager, supervisor, and/or superintendent will simply not tolerate profane and offensive language under any circumstances. This also applies to co-workers and/or visitors to our facility.
12. Unauthorized soliciting of membership, pledges, collecting money, distribution of literature, written or printed material on Berry Bros.’ premises or conducting any other outside business, unless approved by the Human Resource Manager is a violation.
13. Bringing intoxicants, alcoholic beverages, or illegal drugs onto worksites, including parking lots, vehicles, boats, offshore structures; or drinking alcoholic beverages or indulging in illegal drugs on the job at any jobsite; or reporting to work with any detectable amount of alcohol or drugs present in the body is a violation.



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**NOTE:**

*All Berry Bros. employees are subject to "Random" drug and alcohol testing authorized by Berry Bros. or any of Berry Bros.' Clients at any time with or without cause. If you are called upon to take a "Random" drug screen, you are fully expected to immediately get into the authorized Berry Bros. transport vehicle and travel to the Clinic with the other selected "Randoms." It shall be a violation of protocol to take your own vehicle to travel to the Clinic to take the drug screen. (The purpose of this protocol is to avoid the opportunity for an employee to ingest something to influence the outcome of the drug screen or, to obtain a foreign urine sample from another source en-route to the clinic.)*

14. Sabotage: Willfully damaging Berry Bros.' property or the property of others from or on Berry Bros.' premises including Berry Bros.' parking lots is a violation.
15. Fighting, brawling, or assault on Berry Bros.' employee or jobsite property including parking lots, vehicles, boats, or offshore structures will likely result in the automatic dismissal of all parties involved.
16. Theft or misappropriation of Berry Bros.' property or property of others from or on Berry Bros.' premises or jobsites including Berry Bros.' parking lots is an extreme violation.
17. Smoking in restricted or "NO SMOKING" areas. Note: Carrying a "BIC" type disposable lighter is prohibited. They are an extreme hazard!
18. Restricting or limiting or hindering production by willfully holding back is a violation.
19. Disregard of safety rules or common safety practices is a violation.
20. Sleeping on duty or on company time without executive authorization is a violation.
21. The making or publishing of false, vicious or malicious statements concerning any employee, supervisor, the company or its services is a violation.
22. Horseplay on Berry Bros.' properties that would or could possibly endanger any employee and/or Berry Bros.' property or equipment shall not be tolerated at any time.
23. Disorderly or Immoral or Indecent conduct on Berry Bros.' premises is a violation.
24. Harassment of any employee, male or female will not be tolerated and is considered an extreme violation. Refer to Berry Bros.' company policy on Sexual Harassment for further details concerning this issue.



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- 25. Removing guards or safety devices from equipment, machines, or facilities without official permission is a violation.
- 26. Misuse or removal from Berry Bros.' premises without specific permission, any company records, prints, drawings, tools, and/or equipment that might be of a sensitive or confidential nature shall be considered an extreme violation.
- 27. Careless workmanship is a violation and a Safety hazard to yourself and others.

The above listings of inappropriate conduct is illustrative only and is not intended to be an all-inclusive list of misconduct which may warrant immediate termination or other forms of approved company administered discipline. Nor is this section intended to restrict the company's right to terminate any employee for any lawful or reasonable reason at its sole discretion.

**Attachment:** Employee Disciplinary Form

Revision Date: 06-30-08, 02-19-09  
4-3-14, 10-23-15

Approved By: Joe Berry & Safety Committee

# Berry Bros. General Contractors, Inc.



## EMPLOYEE DISCIPLINARY FORM

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Time of Incident: \_\_\_\_\_ Job Location / Division: \_\_\_\_\_

1<sup>st</sup> Violation \_\_\_\_\_ 2<sup>nd</sup> Violation \_\_\_\_\_ 3<sup>rd</sup> Violation \_\_\_\_\_

Action Taken: \_\_\_\_\_ Warning \_\_\_\_\_ Suspension \_\_\_\_\_ Dismissal

|                          |   |
|--------------------------|---|
| _____ Tardiness          | _____ Failure to report accident / incident |
| _____ Excessive absences | _____ Failure to follow instructions        |
| _____ Insubordination    | _____ Fighting on company property          |
| _____ Dishonesty         | _____ Unsatisfactory job performance        |
| _____ Theft (stealing)   | _____ Violation of Drug / Alcohol Policy    |
| _____ Improper conduct   | _____ Violation of safety rules             |
| _____ Housekeeping       | _____ Destruction of company property       |
| _____ Carelessness       | _____ Possession of weapon                  |
| _____ Neglect of Duty    | _____ Other _____                           |

Further violation of this or a similar nature will result in further disciplinary action, up to and including possible termination.

Supervisor's Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Employee's Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(I have read this report.)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date