 NEW Organic Digestion	NEW Organic Digestion, LLC Safety Management System		DEN.SAFE.POL.140-005.Disciplinary	
			Initial Issue Date	03/02/2017
<b>DISCIPLINARY PROGRAM</b>			Revision Date:	02/20/18
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## **PURPOSE:**

This procedure provides the guidelines to support good safety performance with the use of adequate disciplinary measures and to eliminate occasional or continuous safety violations. This procedure applies to all NEW Organic Digestion, LLC employees, subcontractors, and vendors.

## **Scope**

This Standard applies at all work locations under the company management.

This Standard applies to work locations wherein another party manages and the company personnel undertake work and to all the company managed personnel whilst engaged in any activity on behalf of the company.

**This Standard shall be applied to all the company personnel, contractors and their subcontractors. Contractors may, however, when agreed through the company project engagement processes, utilize their own standards and procedures in so far as the requirements of their standards are at least equivalent to those of this standard, the customer's standards and those of applicable National and Local regulations which should be read and complied with in conjunction with this standard.**

## **Responsibilities**

The implementation of this Standard is the responsibility of the company senior management including production management, safety management, supervisors and/or foreman.


The Company's managers are responsible for the application of, and compliance with, this Standard at work locations where they have operational responsibilities. The Company' managers will also be the focal points for associated liaison with, and coordination of, contractors' compliance with this Standard, at the managers / supervisors respective work locations.

All representatives are responsible for monitoring compliance with this procedure. Contractors are responsible for their personnel, and their subcontractor's personnel, compliance with this Standard and / or other Standard as agreed per above. The company personnel have a responsibility to comply with this Standard. Each employee is responsible for complying with the site safety plans, along with the rules and regulations that issued by the employee's supervisor, our customers or various regulatory agencies.

## **Safety and Discipline Standard**

A Safety Violation – not following verbal or written procedures, guidelines, rules (such as horseplay, failure to utilize appropriate PPE, abusive use of equipment etc.). Violations can also be further defined by client and the list above does not constitute violations in whole.

The following steps shall be administered in a fair and nondiscriminatory manner. All disciplinary actions, including instruction for improvement of an individual, shall be documented in that individual's personnel file by company Human Resources. Employees or sub-contractors who willingly and knowingly contravene

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any safety or performance standards shall be held personally responsible and subject to corporate disciplinary action.

A violation of a site safety rule, procedure or work practice shall be promptly corrected. If necessary, retraining shall be accomplished. A written warning may be documented by the employer with copies issued to the individual, their immediate supervisor and HR.

The following are four standard disciplinary actions that may be taken in response to unsatisfactory work performance or conduct. They are: verbal warnings, written warnings Suspension without pay and discharge. The type of disciplinary action that is taken is determined by the degree of the seriousness of the infraction. In certain instances, the company may believe that an employee's conduct, performance or absenteeism/tardiness is so detrimental to the interest of the company or other employees of the company that immediate discharge is taken without notice or prior disciplinary action. No supervisor shall enact immediate discharge without consulting Human Resources. If a Supervisor feels that an employee must be immediately removed from, a jobsite, the supervisor shall send the employee home indicating "indefinite suspension".

A subsequent safety violation by an individual will be cause for further action.

The normal procedure for corrective action is as follows:


- Verbal warning
- Written warning
- Final written warning
- Suspension (Length to the discretion of management)
- Discharge

Verbal warnings must be put in writing and forwarded to Human Resources, who will monitor frequency of similar actions.

Written warnings state the nature of the infraction and should be signed by the employee, witness and supervisor. The employee should be provided with a copy of the warning. The employee's signature does not indicate that the employee believes that the disciplinary action is warranted, but simply acts as an acknowledgment that a copy of the warning was received. Furthermore, if an employee is unwilling to provide a signature, this should be noted on the form.

The above actions are to be placed against a sliding twelve-month scale. If an employee receives a reprimand on January 1 and commits his fourth offense on or before December 31st of the same year, he is terminated. The employee does not have to commit the same violation each time to receive further reprimands. He could receive a verbal reprimand for smoking in a no smoking area on his first offense and get a written reprimand for his second offense which might be a forklift violation and yet another for failing to use proper personal protective equipment. He will be terminated upon his fourth offense in the last twelve months.

In the case of serious safety violations such as by-passing guarding or other unsafe activities that put the violator or other employees at serious risk of injury, the manager may move the violator directly to the second or third warning level. If the violator's actions put him or others at risk of death or dismemberment

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the manager has the option to terminate him with no further warning. Suspension without pay can be used at any time during the disciplinary action process. The nature of the infraction will determine if suspension is used and the length of the suspension.

**SUSPENSION PENDING INVESTIGATION-** The Company may suspend an employee with or without pay pending the completion of the company's investigation of a violation of a work or conduct rule. Such suspension will not be considered disciplinary if the company determines no cause for disciplinary action exists.

### **CORRECTIVE ACTION**

Unless immediate suspension or termination is appropriate, violation of any of the following rules may result in corrective action.


- Intentional neglect of duty.
- Abusive language or conduct directed at an employee, customer, other plant personnel, or NEW Organic Digestion, LLC visitor.
- Horseplay or disorderly or unsafe conduct while on NEW Organic Digestion, LLC business.
- Illegal activity on NEW Organic Digestion, LLC time.
- Bad behavior, offensive personal conduct, condition, or appearance resulting in an adverse effect on the Company, employee(s), or customer(s).
- Negligence or carelessness that results in an increased hazard.
- Failure to report incidents immediately.
- A violation of the NEW Organic Digestion, LLC safety policies and procedures.
- Any other violation or breach not listed above that NEW Organic Digestion, LLC deems serious in nature.

### **IMMEDIATE SUSPENSION OR TERMINATION**

The following conduct is prohibited and may result in immediate suspension with or without pay or termination.

- Any form or threat of physical assault of an employee, customer, other plant personnel, or NEW Organic Digestion, LLC visitor.
- Intentional damage to NEW Organic Digestion, LLC property or property of an employee, customer, other plant personnel, or NEW Organic Digestion, LLC visitor.
- Intentional violation of NEW Organic Digestion, LLC safety rules which endangers the safety of any person or NEW Organic Digestion, LLC property.
- Insubordination, which is the refusal to perform work assigned by a supervisor or disobedience of a reasonable instruction or direction of a supervisor.
- Intentional modification of property that results in an increased hazard. This includes but not limited to removing a guard from a saw, a Lock-Out-Tag or Lock from tagged out circuit without proper permission, etc.
- Knowingly operating a NEW Organic Digestion, LLC vehicle without a valid driver's license.
- Any other violation or breach not listed above that the NEW Organic Digestion, LLC deems serious in nature may result in a suspension or discharge.

As an example, a minor violation of a safety policy such as using a harness beyond the designated inspection period would result in corrective action, while failure to utilize fall protection while working at heights may immediately escalate to suspension or termination.

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### **Company Vehicle Drivers**

Each driver will be a part of a 30-day probationary period after training has been complete and is driving by self. In this probationary period, a driver will be given 'reminders' of how to better their driving/record keeping. After the 30-day probationary period has ended, the drivers will encounter the following disciplinary infractions if they were to get any violation driving a company vehicle.

The following actions will accompany the normal disciplinary process described above.

- Retraining to be completed with every Disciplinary Notice
- 1st Written Disciplinary Notice and thereafter - retraining to be completed with manager
- Final Written Disciplinary Notice and thereafter – General Manager involved
- Minors HOS (errors and omissions) 4 Warnings=1 Verbal Disciplinary Notice
- Majors HOS (ex: 30 minutes rest break, 14 Hour, 70 Hour, missing signature, missing logs) 2 Verbal's=1 Written Disciplinary Notice

### **Other Requirements**

Company officials will conduct periodic inspections of work areas to insure that the work area meets the guidelines put forth by clients, jurisdictions or other regulations mandated by government.

Persons intentionally or unintentionally violating safety rules, thereby being responsible by their actions for incidents causing personal injury, death, or damage to property or the environment, may be suspended from employment pending the outcome of a full investigation of the incident. These individuals may also be held personally liable pending the outcome of the investigation.

The results of the investigation will be a factor in determining whether the individuals involved will be disciplined, or returned to regular work status.