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**Chapter 5:  
Rules of Conduct**

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## **Purpose**

The purpose of this chapter is to provide general safety guidelines and a guide to employee conduct that Wapiti Gravel Suppliers employees must adhere to.

## **Objectives**

The objectives are to:

- Ensure employees are given basic safety guidelines.
- Provide a set of good conduct rules for the employees of Wapiti Gravel Suppliers
- Ensure employees know and understand Wapiti Gravel Suppliers' Drug and Alcohol policy.
- Ensure employees know and understand Wapiti Gravel Suppliers' Respectful Workplace Policy.
- Provide Progressive Disciplinary Guidelines.

## **Special Terms**

AADAC .....	ALBERTA ALCOHOL & DRUG ABUSE COMMISSION
FMS .....	FATIGUE MANAGEMENT SYSTEM
MSDS .....	MATERIAL SAFETY DATA SHEET
WHMIS.....	WORKPLACE HAZARDOUS MATERIAL INFORMATION SYSTEM
GHS.....	GLOBAL HARMONIZED SYSTEM

## **5.1 Introduction**

The attached safety guidelines have been developed to help ensure a safe work environment and to ensure everything possible is being done to prevent on-the-job injuries.

The guidelines in this chapter go beyond those outlined by the Alberta Occupational Health & Safety Act and Regulations.

All job safety procedures and lockout procedures are considered appendages to these guidelines and should be followed as such.

In the event these safety guidelines do not cover a job site situation, or if you are unsure of your ability to safely perform a task, make sure you receive guidance from your supervisor, or an experienced fellow employee, before you undertake that task.

Safety is a team effort. While the Company is responsible for providing a safe work environment, and establishing and enforcing guidelines, it is your responsibility to follow the guidelines and behave in a safe manner.

If it becomes necessary to address an individual on a violation of these safety guidelines, it will be done in the interest of a person's safety utilizing the WGS Progressive Discipline Policy. It is hoped that such an individual will understand the purpose of the reminder and respond in an appreciative and positive corrective manner as WGS will apply and enforce all rules consistently with all employees.

## **5.2 A Guide to Good Conduct and General Safety** **Rules for Wapiti Gravel Suppliers Employees**

During working hours and/or while on Company premises, Wapiti Gravel Suppliers employees are expected to conduct themselves in a manner that promotes the safety and welfare of all employees, encourages congenial and orderly work habits, and protects the property of other employees and the company. Employees engaging in conduct detrimental to such interest are subject to disciplinary action.

The following are some general safety rules and a guide to good conduct:

### **DO NOT:**

- Falsify information in relation to your employment application, medical or other Company records.
- Possess, use or sell any intoxicants, narcotics or any hallucinogens on Company property or while operating a WGS vehicle or equipment.
- Loiter, sleep or be absent from the work station during working hours without permission.
- Use machines, tools, equipment or material without proper authorization.
- Misuse machines, tools, equipment or material.
- Fight, assault and/or inflict bodily harm upon any employee or other person.
- Threaten, intimidate or coerce employees.
- Smoke in areas where gasoline, fuels, or any other flammables are stored or handled as well as any other unauthorized areas.
- Create unsafe or unsanitary conditions (use designated garbage's and porta-potties).
- Make or publish false, vicious or malicious statements concerning any employee, the Company or its products.
- **Park on company property unless authorized to do so.**
- Possess, store, or transport weapons in company vehicles or on company property.

- Tamper with firefighting or any other emergency equipment.
- Use Compressed Air to clean dust or dirt off clothes while clothes are being worn. Only designated cleaning stations are to be used to clean dust or dirt off clothes.
- Work near or under any elevated material or equipment unless such material or equipment is securely blocked.
- Walk in dust from the kiln feed system; as thermal and/or chemical burns may result.
- Use personal music devices while operating company equipment or while on company property.
- Horseplay is not condoned at WGS.

**GENERAL:**

- Follow the approved lockout procedure prior to making any repairs on equipment.
- Always get help for heavy lifts. It is the responsibility of the individual employee to ensure they do not lift beyond their capacity.
- Failure to wear Personal Protective Equipment in designated areas, making safety devices ineffective, or disregard of other safety precautions or rules may result in disciplinary action up to and including termination.
- Explosive actuated tools are to be used by certificate holding operators only.
- Only three-wire extension cords are to be used on electric power tools. Double insulated tools are exempt.
- Due to the fire and health hazards involved, gasoline must not be used as a cleaning agent. Cleaning agents must be used and stored in approved containers labeled as per WHMIS 2015/GHS regulations.
- All flammable fluids must be transported and/or stored in approved-type containers which are clearly marked. Refer to WHMIS 2015/GHS labels and MSDS.
- Employees may not take short cuts through hazardous areas or places which have been fenced or barricaded off. Crossing an area flagged out with red lock out tape is grounds for corrective action.
- Employees must advise crane and mobile equipment operators of the area hazards prior to entering the area in which this equipment is working.

- Equipment and machinery should not be operated unless all guards and safety devices are in place and in good working order. In the event that permanent guards cannot be secured in place, if authorized, suitable temporary barriers are to be used so that the employees are not exposed to hazards. Supervisors must be notified of any changes made prior to use.
- On the completion of every job, all tools, unused materials, and scrap are to be removed from the work area, hoses to be coiled, etc. by the workers performing the job.
- All hand tools and equipment, which are not in safe working order, must be tagged and flagged, reported to the supervisor, reported to the shop, and kept out of service until repaired.
- Use the proper tools for the job at hand and ensure that tools are in good condition.
- Only competent and qualified employees are permitted to operate power tools and equipment.
- All posted speed limits within the site/yard to be observed and abided by.

## **5.3 Lifting**

### **Body Mechanics**

Body mechanics is the way you position the parts of your body when you are moving or lifting something. Proper body mechanics should be used whenever you stand or move.

#### *Rules of Body Mechanics*

1. Evaluate what you want to lift. If you think the item you have to lift may be too large or too heavy, get help prior to attempting the lift.
2. Push or pull instead of lifting.
3. Check your feet. Give yourself a broad base of support and good balance.
4. Use as many groups of muscles as possible.
5. Use good posture. Keep your stomach muscles tight, your knees bent and your weight evenly distributed on both feet. This means that you will use the large muscles in your legs, buttocks and arms rather than the smaller and weaker muscles in your back. This is the basic rule of lifting.
6. Get as close as you can to the object or person you are trying to lift.
7. Use smooth even motions.
8. Hold the object in front of you and look towards the place where you are taking it.
9. Avoid twisting your body. Turn with your feet using small steps, turn your whole body without twisting your neck and back. When you are working with your client, be careful not to twist his body.
10. Work at a comfortable height.

## **5.4 Working Alone**

Working Alone Procedures for the worksite will include the following requirements:

1. Whenever possible, the company shall avoid having employees work alone.
2. Wherever a company employee is required to work alone under conditions in which there is significant danger of disabling injury occurring, and when the employee might not be able to obtain assistance in the event of an injury, some method of periodically checking the well-being of the employee shall be developed between the worker and the supervisor. The method and time frame will be determined by the severity of the hazard.
3. Company equipment units used for working alone under the conditions in (2) shall be equipped with working two-way radios.
4. Where an employee is designated to work alone on other tasks, regular checks during the shift shall be made by two-way radio or visually as appropriate to the nature, hazard and circumstances of the work.
5. The Supervisor shall ensure that procedures are established to deal with working alone emergencies, employees are aware of their responsibilities in such emergencies, and regular checks are performed.

**\*\*Note: Wapiti Gravel Suppliers does utilize a 3<sup>rd</sup> party company to provide a check in station. The numbers are:**

**Toll Free: 1-877-503-5951**

**Direct: 1-780-814-6418**

**\*\*If utilizing this check-in service DO NOT be late checking in as the HSE Manager is contacted followed by the President if you do not check in.**

**OH&S Code Part 28**

## **5.5 Fatigue Management System**

### Policy

Wapiti Gravel Suppliers recognizes that fatigue is a factor which may affect a worker's ability to perform mental and physical tasks. Due to the nature of the work, extended working hours are required. All Management and Supervisory personnel must be able to recognize and respond to the signs and symptoms of fatigue that might impair the worker's performance.

-Maximum hours per day permit allows: 16. This must include travel time to and from worksite and home or temporary lodging.

-Maximum days per month: 24. Workers must have 4 days off each month. These days do not have to be consecutive unless worker has worked 24 consecutive days..WGS will require all personnel to work within the legislated requirements in accordance with the Employment Standards Codes and/or exemptions that apply to the Alberta Roadbuilding Industry.

Training to recognize and respond to fatigue issues in the field will be provided.

It is the responsibility of the Supervisor to make corresponding changes to work requirements if fatigue impairment signs are evident. All concerns must be communicated to Management and corresponding changes must be documented for review and follow-up.

The development, implementation and continual monitoring of a Fatigue Management System will ensure WGS is providing a safe and healthy work environment for all workers.

### Training

All WGS employees are required to attend FMS training.

### Fatigue

As defined by Alberta Workplace Health & Safety, "Fatigue is a state of being tired. It can be caused by long hours of work, long hours of physical or mental activity, inadequate rest, excessive stress, and combinations of these factors." The signs, symptoms and affect fatigue has on workers varies from one person to the next; however, fatigue **may** affect the individual worker's ability to perform mental and physical tasks.

### Responsibilities

#### Management:

- Ensure the FMS is implemented throughout the company.

- Provide the necessary information about fatigue.
- Provide instruction and training.
- Communicate employer expectations.
- Monitor hours worked by each crew.
- Review the impact of extended hours in relation to accidents, incidents, quality and quantity of work.
- Support employees who are experiencing concerns with fatigue.
- Assist and advise line Supervisors.
- Investigate any problems and/or concerns.
- Inspect the workplace and review FMS with employees.
- Review FMS Quarterly.

*Supervisors:*

- Ensure all crew members understand the FMS.
- Conduct safety meetings discussing fatigue and the FMS.
- Promote the FMS.
- Ensure tasks are performed in a safe and healthy manner.
- Be aware of the risks associated with extended hours are anticipated.
- Observe how individuals respond to extended hours.
- Recognize symptoms of fatigue.
- Get feedback from individual crew members and the crew as a whole.
- Take prompt action if a risk develops.
- Relay information to and from Management and employees.
- Report any FMS problems, concerns and/or issues.

*Employees:*

- Actively participate in FMS training.
- Recognize symptoms of fatigue.
- Promptly report any fatigue related problems or concerns.
- Report any individual medical or personal situations that may have an effect on fatigue.

- Take personal responsibility to get proper rest during time off.
- Take personal responsibility to deal with home stresses.

## **Fatigue Management Training**

### *Training:*

All Wapiti Gravel Suppliers employees are required to attend FMS training. Training will consist of some or all of the following aspects:

- What is fatigue?
- Signs, symptoms, and consequences of fatigue.
- Roles and responsibilities.
- Preventive methods for dealing with fatigue.
- Reporting procedures.
- Monitoring methods.
- Program review processes.

### *Signs, Symptoms, Factors, and Performance Impairments:*

Some possible physical signs and symptoms of fatigue are as follows:

- Tiredness
- Sleepiness
- Irritability
- Depression
- Giddiness
- Loss of appetite
- Digestive problems
- An increased susceptibility to illness.

Some possible performance impairments are:

- Slowed reactions – physical reaction speed and speed of thought.
- Failure to respond to stimuli, changes in the surroundings, or information provided.

- Incorrect actions – either physical or mental.
- Flawed logic and judgment and an increase in memory errors, including forgetfulness.
- Decreased vigilance.
- Reduced motivation.
- Increased tendency for risk-taking.

Factors that may have an influence on fatigue:

- Time of day
- Temperature
- Working alone
- Repetitive or “boring” functions
- Being inactive
- Length and frequency of breaks
- Availability of food and water
- Duration of the extended hours/consecutive days
- Days off
- Type of work
- Job stress
- Home stress
- Use of personal time

Some workers cope with fatigue in the following ways:

- Working more slowly
- Checking work more thoroughly
- Using more memory cues or reminders
- Relying on fellow workers
- Choosing to carry out less critical tasks

*Preventive Method for Dealing with Fatigue:*

- Inform all workers of the FMS.
- Minimize extended hours of work when possible.
- Plan for rest days.
- Assess and control hazards and risks.
- Provide an honest, open and healthy work environment.
- Provide information and assistance.
- Recognize individual and crew fatigue.
- Give as much advance notice of extended hours as possible.
- Define whether the work is urgent or not.
- Ensure crew members have access to food and water.
- Take short and frequent breaks.
- Allow employees options such as transfer to less busy crews, job sharing, etc.
- Solicit short-term help to minimize the need for extended hours.
- Have crew members rotate and perform various functions of short duration during extended hours.
- Perform complex tasks earlier in the shift, if possible.
- After a long day, possibly start later the next day.
- Utilize the buddy system.
- Account for employees returning from sickness, absences and/or modified work.
- In conjunction with employees, identify any health problems that may affect their ability to work extended hours, i.e. diabetes.
- Be flexible and supportive when dealing with an employee with problems at home.
- Consider travel time to and from work.

*Reporting Procedures:*

- Include time of day on all accident/incident and near miss reports.
- Report any unsafe acts.

- Inform Management if there is a crew or individual problem working extended hours.
- Implement a workable process so that Payroll, or other operations of the company, identifies when a crew or individual is working extended hours and/or excessive consecutive days and notifies Management Supervisors.

*Monitoring Methods:*

- Management Supervisors to monitor their crew's hours of work.
- Management Supervisors to determine the need for extended hours.
- Payroll to record and inform Management Supervisors when a crew or individual is working extended hours or consecutive days.
- Management Supervisors are to inspect crews when working extended hours for fatigue related concerns.
- Management Supervisors are to ask crew members if they have any concerns when working extended hours.
- Management Supervisors are to monitor quantity and quality output of crews working extended hours.
- Management Supervisors are to monitor supervisor-employee relationships.
- Ensure everyone has been trained in the FMS.
- The HSE department reviews employees work hrs./days regularly.

*Program Review Process:*

- Review FMS policy and procedures.
- Review ratio of crews working extended hours to those not working extended hours.
- Determine the rationale for working extended hours.
- Review accident/incident/near miss reports of all situations relating to extended hours.
- Review quantity and quality of work when extended hours have been worked.
- Perform and review employee-supervisor extended hours of work survey.
- Review the effectiveness of the FMS training program.
- Review the factors affecting the need for extended hours.
- Discuss possible alternatives to extended hours of work.

## **5.6 Drug and Alcohol Policy**

Wapiti Gravel Suppliers is committed to providing a safe, drug- and alcohol-free workplace. The use of illegal drugs, improper use of prescription medication, and the use of alcohol can have serious adverse effects on the safety of the workplace, members, and members of the public. Employees are expected to report to work capable of performing tasks in a safe manner and not under the influence of any drugs or alcohol.

Wapiti Gravel Suppliers is aware that drug and alcohol dependencies are protected and recognized as grounds of mental, psychological, and physical disability under the provincial and federal human rights regulations. Any employee experiencing drug and/or alcohol dependencies must inform Human Resources. Wapiti Gravel Suppliers will assist employees in connecting those employees with the appropriate resources free of any discrimination or harassment.

While on company premises and/or while conducting company related activities off its premises, no employee may use, possess, distribute, sell, or be under the influence of illegal drugs and/or alcohol. This includes meal periods and scheduled breaks.

All construction, shop, trucking, testing and plant positions are considered safety – sensitive positions and require D & A testing.

Our Drug and Alcohol Policy allows for testing under the following conditions:

- 1. Pre-Access Testing**
- 2. Reasonable Cause Testing**
- 3. Post-Incident Testing**

### **Definitions**

Recreational drug or alcohol use: With recreational use of drugs or alcohol, there is no mental, physical, or psychological dependence; therefore, this is **not** considered a mental, physical, or psychological disability under human rights law.

Drug or alcohol dependence: A mental, physical, or psychological dependence on drugs or alcohol, which is considered a disability under human rights law.

Impairment: Under the influence of drugs (including prescription drugs), alcohol and/or any controlled substance. The effect of said substances would deem the employee unfit for work and a safety hazard.

Tampering: Adding or attempting to add any foreign matter to a test sample. This also includes using third party samples or assisting someone in making use of foreign matter or a third party sample.

### **Pre-Access Testing**

Wapiti Gravel Suppliers will conduct drug and/or alcohol testing before an employee is permitted on a job-site. In cases of new employment, the testing will occur following the job offer however prior to the individual's first day of work. In certain circumstances, third-party customers may require pre-access testing prior to job-site access.

### **Reasonable Cause**

Wapiti Gravel Suppliers reserve the right to conduct testing for the presence of alcohol or drugs when it has reasonable cause to believe that the actions, appearance, or conduct of an employee while on duty is indicative of the use of drugs or alcohol.

The referral for the test will be based on specific, personal observations resulting from, but not limited to:

- Observed use or evidence of use of drugs or alcohol (e.g. smell of alcohol)
- Erratic or atypical behavior of the employee
- Changes in physical appearance of the employee
- Changes in behavior of the employee
- Changes in speech patterns of the employee

## **Post-Incident Testing**

Wapiti Gravel Suppliers reserve the right to conduct testing for the presence of alcohol or drugs when an incident on a worksite or involving company equipment has occurred.

Wapiti Gravel Suppliers reserve the right to test **all employees on site and present** at the work site or near any involved equipment.

### **Note:**

In all situations where WGS believes an employee is unfit to be at the workplace, a responsible escort will be used to escort the employee home or to a testing facility.

Where reasonably possible, such tests will be conducted respectfully and in a non-intrusive manner. Failure to submit to any drug and/or alcohol testing will be deemed as a positive test result and the employee will be subject to progressive discipline. **All D&A test results will be kept confidential.**

## Testing Criteria and Concentration Levels

All drug and alcohol test results will be based on Cut-Off Concentration Levels, should results be at these levels or above, the test will be deemed positive. Criteria for testing workers for D&A at safety sensitive locations will be based on the testing and screening methods required by COAA Model for Providing a Safe Workplace.

1. Drug Panel, Urine Screening Cut-off Concentration Levels-a test result at these levels or above is a positive test.

<b>Drug</b>	<b>Parameter (Level)</b>
Amphetamines	1000 ng/mL
Cocaine	300 ng/mL
Cannabinoids	50 ng/mL
Opiates	2000 ng/mL
Phencyclidine	25 ng/mL

2. Confirmation Concentration Levels- a test result at these levels or above is a positive result.

<b>Drug</b>	<b>Parameter (Level)</b>
Amphetamines	500 ng/mL
Cocaine	150 ng/mL
Cannabinoids	15 ng/mL
Opiates	2000 ng/mL
Codeine	2000 ng/mL
Morphine	2000 ng/mL
Acetylmorphine	10 ng/mL
Phencyclidine	25 g/mL

3. Alcohol Breathalyzer blood Alcohol Level of 50 milligrams of alcohol in 100 milliliters of blood (0.05) or above is a positive test.

## **Drug and Alcohol Dependency**

Any employee suffering from a drug or alcohol dependency is strongly encouraged to disclose this condition to Human Resources. As an employer we recognize our responsibility to accommodate employees suffering from a drug and alcohol dependency. Should an employee neglect to disclose such condition to Human Resources, all infractions under the Drug and Alcohol Policy will be based on the assumption that the employee is not suffering from a drug or alcohol dependency. Employees will be subject to progressive discipline, up to and including immediate dismissal.

Seeking voluntary assistance for drug or alcohol dependency will not jeopardize an employee's employment. The employee must continue to co-operate and seek appropriate treatment for their dependency and be willing to create a practical Return to Work Plan with Human Resources.

Employees suffering from a drug and alcohol dependency who fail to co-operate with assistance or treatment programs will be subject to progressive discipline. This will also include repeat infractions which may result immediate termination without notice.

## **Prescription Medications**

The legal use of prescribed/ over the counter drugs is permitted at work, only if it does not impair the employee's ability to perform his/her work in a safe manner. Employees are required to disclose to their immediate supervisor any use of prescription/ over the counter medication that may affect work performance and the safe execution of work duties.

An employee is to inform his/her immediate supervisor of the use of prescribed or over the counter medication before the start of his/her shift. Should the employee neglect to do so, he/she will be subject to progressive discipline.

Please note, an employee is not required to disclose the medical reasoning for any prescribed or over the counter medication. Employees must only disclose potential

side effects of the medication that may interfere with the safe execution of work duties.

If an employee fails to disclose any prescribed or over the counter medication use and is subject to drug and alcohol testing for any reason and tests positive due to the presence of prescription or over the counter medication he/she will be subject to disciplinary measures for failure to disclose required information.

### **Disciplinary Measures**

Wapiti Gravel Suppliers view the rules contained in this policy to be of the utmost importance. Any deviation from the above terms will result in disciplinary action that may include immediate dismissal.

Should an employee test positive for drugs and/or alcohol the following discipline steps will be followed:

1. Immediate suspension without pay for a two (2) week period
2. The employee will be financially responsible for re-testing after the two (2) week suspension to ensure a negative test result
3.
  - a. Should the employee successfully test negative for drugs and/or alcohol he/she will be reinstated
  - b. If the employee fails to complete a drug and/or alcohol test within one (1) week of the end of his/her suspension, employment will be deemed abandoned
  - c. If after the two (2) week suspension the employee tests positive, the suspension will continue without pay
4. If an employee has tested positive for drugs and /or alcohol, he/she will be subject to being randomly tested for a two (2) year period from the date of the initial positive test result

The following conditions will result in management deeming a positive test result and the employee will be subject to disciplinary action, up to and including immediate dismissal:

- Refusal to submit to drug and/or alcohol testing
- Failing to report to a company designated location for testing
- Tampering or attempting to tamper with a test sample
- Assisting with the tampering or attempting to assist in tamper with a test sample
- Providing a personal sample to assist with falsifying test results

## **Responsibilities**

### **Employees:**

- Abide by the Drug and Alcohol Use Policy
- Promptly report any breach of the Drug and Alcohol Use Policy to your immediate supervisor and/or Human Resources
- Advise your supervisor of any prescription or over-the-counter medications you are on to ensure your safety and others

### **Supervisors:**

- Ensure all crew members understand the Drug and Alcohol Policy
- Promote and abide by the Drug and Alcohol Use Policy
- Recognize symptoms of drug and/or alcohol use
- Take prompt action if a breach of the Drug and Alcohol Use Policy occurs
- Report any drug and/or alcohol use issues and concerns to Human Resources and Management

## **5.7 Respectful Workplace Policy**

Our company is committed to building and preserving a respectful, safe, productive and healthy working environment for its employees based on mutual respect. In pursuit of this goal, we do not condone nor tolerate acts of violence and/or harassment against or by any of our employees or managers.

Wapiti Gravel Suppliers and Peter-Lane Concrete consider workplace violence, harassment (including bullying) and discrimination to be unacceptable forms of behavior which will not be tolerated.

The Company is therefore committed to action which ensures the absence of violence, harassment and discrimination in the workplace. Appropriate disciplinary action will be taken, up to and including dismissal and prosecution, against any individual engaging in workplace these forms of behaviours and actions.

Wapiti Gravel Suppliers and Peter-Lane Concrete will ensure that all employees are trained and educated on violence, harassment and discrimination and that they are clear about the roles and responsibilities.

Our Respectful Workplace Policy includes the following:

- 1. Personal Harassment/ Bullying*
- 2. Sexual Harassment*
- 3. Workplace Violence*

### **1. Personal Harassment/ Bullying**

As per the definition under of the Canadian Human Rights Commission, personal harassment includes:

- Verbal abuse or threats
- Unwelcome remarks, jokes, or innuendoes or taunting about a person's body, attire, age, marital status, ethnic or national origin, religion, etc.
- Displaying pornographic, racist or other offensive or derogatory pictures
- Practical jokes which cause awkwardness or embarrassment

- Unwelcome invitations or requests, whether indirect or explicit, or intimidation leering or other gestures
- Unwelcome invitations or requests, whether indirect or explicit, or intimidation leering or other gestures
- Contdescension or paternalism which undermines self-respect
- Unnecessary physical contact such as touching, patting or pinching, or punching
- Physical assault

## **2. Sexual Harassment**

As per the definition under the Alberta Human Rights Commission sexual harassment includes any conduct, comment, gesture, or contact of a sexual nature that:

- Is likely to cause offense or humiliation to any employee
- Might on reasonable grounds be perceived by any employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion

Sexual harassment in the workplace includes any unwelcome advances (which may be physical, verbal, or written), such as requests for sexual favors, or any other form of unsolicited or unwelcome sexual conduct by a supervisor, a fellow employee, a customer, a supplier, or a contractor to the Company.

Certain conduct which might be tolerated socially could constitute sexual harassment in the workplace if such conduct is not welcome. Harassment can consist of a single serious incident or a series of incidents over a period of time.

The following examples may constitute sexual harassment when they are offensive to an employee, regardless of any “innocent intent” on the part of the offender:

- Public display of pornography, ranging from material that might be considered mildly erotic, through to material that is sexually explicit
- Continued use of jokes containing sexual innuendoes in an attempt to humiliate or embarrass another person

- Intrusive inquiries (either verbal or written) into an employee's private life or in reference to their sexuality or physical appearance
- Persistent requests for dates, drinks, etc., which have been repeatedly rebuffed
- Persistent staring or leering at a person or at parts of their body.

**Appropriate Response Procedure:**

- Do not ignore personal or sexual harassment, thinking it will go away (ignoring the behavior could be taken for implied consent)
- Make it clear to the individual doing the harassing that such behavior is offensive and unacceptable
- Warn others who may be at risk
- Keep a record of when the alleged incident(s) occurred the nature of the behavior, and the names of witnesses, if any
- Make a formal complaint

**3. Workplace Violence**

For the purpose of the OH&S Code, violence is defined as the “threatened, attempted, or actual conduct of a person that causes or is likely to cause physical injury.”

*Some Examples of Workplace Violence Are:*

- Being threatened or assaulted by a member of the public (motorist, pedestrian, etc.)
- Being threatened or intimidated by a fellow worker or supervisor
- Fighting, shoving, or verbal threats of any kind
- Violent or threatening inter-action with non-company workers on the same site

**Response Procedure:**

Worker:

- Avoid if possible
- Get help (fellow worker, first aid, police, etc.) as needed
- Notify supervisor (if your supervisor is involved or confidentiality is warranted, notify Human Resources)
- Document events.

Supervisor (or person notified):

- Assess severity, response, and response time
- Investigate using Company Investigation form
- Report to next level supervisor
- Keep individual(s) involved in complaint informed
- Maintain confidentiality

Note:

*In addition to the above, employees are entitled to seek redress in respect to violence under provincial human rights legislation. Employees who believe they have been subjected to violence are entitled to initiate civil action and/or, should the circumstances warrant, file a charge of assault with the police.*

## **Reporting Procedures**

### **1) Informal Procedure:**

If you believe you have been harassed or discriminated you may:

- Confront the harasser personally, or in writing, clearly stating the unwelcome behaviour/action and requesting that it stop immediately
- Discuss the situation with the harasser's supervisor, your supervisor or any other supervisor.
- Inform Human Resources

Any employee who feels discriminated against or harassed can and should, in all confidence and without fear of reprisal, personally report the occurrence to his/her supervisor or a manager.

### **2) Formal Procedure:**

If you believe you have been harassed you may make a written complaint to the management team. The written complaint must be delivered to Human Resources and include the following information:

- The date and time of each incident you wish to report
- The name of the person(s) involved in the incident(s)
- The name of any person or persons who witnessed the incident(s)
- A full description of what occurred

Once a written complaint has been received, Human Resources will complete a thorough investigation. Employees will not be discriminated or disciplined due to initiating a genuine complaint.

The investigation will include:

- Informing the accused of the complaint
- Interviewing the complainant, any person(s) involved in the incident and any identified witnesses
- Interviewing any other person(s) who may have knowledge of the incident(s) complaint
- Statements from all parties involved will be taken and a decision will be made
- If necessary, Wapiti Gravel Suppliers may employ outside assistance or request the use of our legal counsel
- Where it is determined that harassment has occurred, a written report of the remedial action will be given to the employees concerned

A copy of the complaint, detailing the complainant's allegations, shall be provided to the respondent(s) and contain the following information:

- The respondent is invited to reply in writing to the complainant's allegations
- The reply will be made known to the complainant before the case proceeds
- Wapiti Gravel Suppliers will take all measures to prevent any unnecessary disclosure of the incident and the identities of the parties

If the complainant decides not to lay a formal complaint, Senior Management may decide that a formal complaint is required, which will be based on the investigation of the incident, and will file such document(s) with the person(s) against whom the complaint is laid.

If it is determined by the company that any employee has been involved in the violence and/or harassment of another employee, immediate disciplinary action will be taken, up to and including termination of employment.

### **Fraudulent or Malicious Complaints**

If it is determined by the company that any employee has knowingly made false statements regarding an allegation of personal violence and/or harassment,

immediate disciplinary action will be taken and may include immediate dismissal without further notice.

## **Confidentiality**

Wapiti Gravel Suppliers and Peter-Lane Concrete will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. Wapiti Gravel Suppliers and Peter-Lane Concrete will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

In cases where criminal proceedings are forthcoming, Wapiti Gravel Suppliers will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

## **Responsibilities**

We trust that all of our employees will help us eliminate violence and harassment from our workplace, and as such, employees of Wapiti Gravel Suppliers are required to comply with the following responsibilities.

### **Employee:**

- Participate in training
- Understand the reporting procedures
- Refrain from any behaviour/actions that may be perceived as harassment or violence

### **Management:**

- Management has a legal responsibility for creating and maintaining a violence and harassment-free workplace
- Managers must be sensitive to the climate in the workplace and address potential problems before those problems become serious
- If a manager becomes aware of violence and/or harassment in the workplace and chooses to ignore it, that Manager and the company risk being named co-respondent in a complaint and may be found liable in legal proceedings brought about by the complainant and/ or local human rights' authorities.

When an employee has asked their manager to deal with a violence and/or harassment incident, the manager shall:

- Support the employee without prejudice
- Work with the employee and document the offensive action(s) and have the employee sign a complaint
- Contact their superior and/or senior management and provide details of the incident on behalf of the employee

### **Application of this Policy**

All employees are personally accountable and responsible for enforcing this policy and must make every effort to prevent and eliminate violence in the work environment and to intervene immediately by advising a member of management if they observe a problem or if a problem is reported to them.

This policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence. Reprisal is defined as any act of retaliation, either direct or indirect.

### **Disciplinary Measures**

If it is determined by the company that any employee has been involved in a violent behaviour or unacceptable conduct related to another employee, immediate disciplinary action will be taken. Such disciplinary action may involve counselling, a formal warning and could result in immediate dismissal without further notice.

## **5.8 Progressive Disciplinary Procedure**

Our company has adopted a Progressive Discipline policy that ensures our employees have the opportunity to correct any performance or behavioral problems that may arise.

In the event that an employee violates company policy or exhibits problematic behavior, our progressive discipline process shall be utilized.

Progressive Discipline can be issued on either: attendance, conduct, health & safety or performance concerns.

Employees will be given opportunities to correct the unwanted behavior, unless the behaviour or concern is one of a severe nature, in which case, progressive discipline can be accelerated to match the violation.

**Our progressive discipline process is as follows:**

- 1. Verbal Warning - formal**
- 2. Written Warning - formal**
- 3. Suspension**
- 4. Termination**

With each violation or apparent issues, the employee will be provided with a written document to:

- alert them to the problem, provide a reiteration of the correct company policy regarding the violation
- advise them of the consequences associated with further infractions, and provide a suggestion towards a method of improvement

All formal warnings will be kept on file in the employees' personal file. If further offences relating to the issue take place, the warning will be attached to the next set of progressive disciplinary actions.

**Note:**

Depending on the nature and severity of the misconduct or policy infraction, management reserves the right to discipline accordingly.

### 5.9 The Right & Responsibility To Refuse Unsafe Work

In the Occupational Health and Safety Guide, unsafe work is referred to as an **“imminent danger”**. This means:

In relation to any occupation, a danger that is not normal for that occupation (job/task), or a danger under which a person engaged in that occupation would not normally carry out within their work.

#### **No worker shall:**

**(a)(b)** Carry out any work if, on reasonable and probable grounds, the worker believes that there exists an imminent danger to the health or safety of themselves or another worker present at the worksite (including contractors).

**(c)** Operate any tool, appliance or equipment, if on reasonable and probably grounds, the worker believes that it will cause to exist an **imminent danger** to the health or safety of themselves or another worker (including contractors) present at the worksite.

*E.g. Being directed to dig a hole without locating utilities. You have the right AND the responsibility to refuse that task due to the foreseeability of hitting a line and causing an explosion injuring yourself, workers present at the worksite, and/or the general public.*

In the event a worker refuses to carry out work or operate any tool, appliance, or equipment, the worker must notify their employer (immediate supervisor) as soon as practically possible of their refusal, and the reason for the refusal.

**On being notified of the workers refusal the employer is obligated to:**

**1(a)** Commence an investigation and eliminate the imminent danger

**1(b)** Ensure that no worker is assigned to use or operate the tool, appliance, or equipment or to perform the work that has been refused unless the worker to be assigned is not exposed to imminent danger, or the imminent danger has been eliminated.

**1(c)** Prepare a written record of the workers refusal and notification as well as the investigation and action taken.

**1(d)** Give the worker who refused the work a copy of the above documented record.

**2(a)** The employer may require the worker whom refused to remain at the worksite and may assign them temporarily to other assignments that they are reasonably capable of performing.

**\*\*NOTE\*\* - A TEMPORARY RE-ASSIGNMENT, IF THERE IS NO LOSS IN PAY, IS NOT CONSIDERED DISCIPLINARY ACTION.**

Where there is a disagreement in regard to the safety of performing the work and the supervisor deems the work can be done without unnecessary risk, the supervisor:

**(a)** Will explain to the worker his reasons for considering the performance of the work to be safe.

**(b)** Will ask this worker to remain at a safe location near the work until the disagreement is resolved.

**(c)** Complete an Incident Report and forward a copy of the form to their Supervisor and the HSE Manager.

If, after the investigation and any remedial action taken by the Supervisor, the Worker continues to believe that the work is unsafe, the employee again has the

legal right and responsibility to refuse the work.

**\*\*Should a worker refuse work, the Supervisor is to initiate an incident report\*\***

**The following actions will then be taken:**

- (a) The employee will remain at a safe location near the work.
  
- (b) Where an employee continues to refuse the work, the supervisor will contact at least one additional supervisor, one additional experienced employee, and/or an HSE Representative whom all have adequate knowledge and sufficient experience of the work, to inspect the work, review the conditions of refusal in the presence of the employee refusing the work, and give their opinion as to the conditions.
  
- (c) If the disagreement is not resolved, the supervisor will contact the project manager and the HSE Manager for assistance in resolution of the work refusal.

## **6.0 Cell Phone Policy**

While it is recognized that cell phones are an important part of our work and personal lives, the irresponsible use of cell phones on the work site continues to pose significant production and safety concerns. This has a detrimental effect on our product and the safety of our workers. Studies continue to show that the use of cell phones on the job increase distraction, errors, loss of production and an increasing rate of incidents that result in equipment damage and serious injuries to our workers.

### **Purpose:**

Wapiti Gravel Suppliers takes the improper use of cell phones very seriously and is committed to addressing this issue with the intent of protecting our assets, production, company image, and most importantly, our workers.

### **Scope:**

All WGS personnel and contractors on all WGS sites.

### **Policy:**

Due to past and current risk of injury and damage due to cell phone use, WGS has recognized that cell phones are a critical safety hazard while used on the job site. Therefore, the use of cell phones on the job-site for any use other than emergencies and official WGS operations, is strictly prohibited.

### **Senior/Middle Management:**

- Fully support the policy.
- Lead by example.
- Communicate expectations to middle management and front line supervisors.
- Provide support to front line management in implementation of the policy.
- Support front line management decisions in regard to disciplinary action.

### **Front Line Supervisors:**

- Lead by example.
- Communicate expectations to front line workers and discuss cell phone use during safety meetings.
- While on active WGS job-sites, use company issued cell phones for business purposes only, unless on a sanctioned break and in a safe area.
- Ensure all front-line workers comply with policy and provide disciplinary action when an infraction is observed.

- Have a copy, paper or digital, of this policy available.

Employees:

- Cell phone use is strictly prohibited on the job-site and all personal cell phones must be left in crew trucks or personal vehicles during work hours.
- Cell phones will not be brought onto mobile equipment.
- Cell phones may be used during sanctioned breaks, and in a designated area to be determined by the site supervisor.
- Absolutely no cell phone use while driving. This includes hands free mode. Pull over to a safe area to take/make a call. (Note: Stopping on highway/road shoulders for phone calls is not only dangerous, but illegal.) If you will be driving, inform your supervisor and remind them that you will be unable to answer your phone while driving.
- In the event that you must be reached in the event of an emergency, please advise your family members to contact the WGS office during regular office hours. (8:00am-4:30 pm). Reception will immediately contact your supervisor. After hours, your supervisor can be reached by our call service. 877-503-5951 or 780-814-6418.
- Any employees that work alone or who are isolated from the crew, (e.g. Flaggers), can have their phones on their person in the event they must make an emergency call. However, they are prohibited from using their phones for any other reason unless on a sanctioned break in a designated area.

Anyone in contravention of the Cell Phone Policy will be subject to disciplinary action, up to and including dismissal.