**FOG 02.01.06 – General Conduct and Disciplinary Policy**

**Reviewed: 02.2020 Modified: 02.2020**

**General Conduct and Discipline**

The Company has in-place various rules and regulations, which serve as guidelines to acceptable employee behavior. In addition, specific jobsite rules may be established to meet the needs of a particular project. In either case, the rules and regulations of the company, and jobsite rules, are subject to change, without prior notice, at the sole discretion of the company.

All employees need to be aware of company work rules and regulations. Rules have been developed to assist the efficient operation of the company and for the benefit and safety of all employees. In general, any employee found to be in violation of company rules will be subject to disciplinary action, including immediate suspension and possible discharge.

The following reflects the Company’s policy for dealing with discipline and termination. This is not a list of every Company rule and regulation, but rather a description of the general Company policy for dealing with employees who engage in unacceptable conduct.

Corrective discipline is normally the responsibility of the job foreman or superintendent. One purpose of discipline is to motivate an employee to change his/her behavior. Discipline can be effective in helping an employee develop a more acceptable level of job performance. In every case, the company reserves the right, in its sole discretion, to determine the appropriate level of discipline.

In the event that discipline is considered, the foreman or superintendent will identify the severity of the problem and determine the appropriate level of discipline. The company recognizes that the seriousness of offenses may vary. When violations of a less serious nature occur, a discussion between the employee and the supervisor will often be sufficient. In the case of more serious violation, a written warning may be given [Form FOG295](http://employee.henselphelps.com/EmployeeResources/FOG/FOG_Forms/FOG295%20-%20Employee%20Notice.docx) and uploading the information into the [Hensel Phelps Violation Notice Site](http://employee.henselphelps.com/HenselPhelps/Safety/Lists/Violation%20Notices%20(Employees)/AllItems.aspx). For subcontractor notices, please use [Form FOG295SUB](http://employee.henselphelps.com/EmployeeResources/FOG/FOG_Forms/FOG295SUB%20-%20Subcontractor%20Notice.docx) and then upload the information into the [Subcontrator Violation Notice Site.](http://employee.henselphelps.com/HenselPhelps/Safety/Lists/Violation%20Notices%20Subcontractors/AllItems.aspx) In addition, copy of the subcontractor notice shall be sent to the employer’s executive management. Please note for subcontractors it is the responsiblility of their employer to discipline their employees, up to and including removing the employee(s) from the project.

On some occasions, because of the seriousness of the offense, a written warning may be given even though a verbal warning has not been issued. Certain other offenses will be of such a serious nature that they will be grounds for immediate suspension and/or discharge.

Verbal or written warnings are often appropriate for minor infractions and first time offenses. A warning should include an explanation of the problem, which has been identified, with an opportunity for the employee to respond.

Discharge of an employee will be considered if the desired change in an employee’s conduct is not accomplished through prior actions.

Employee misconduct may be of such a high level of seriousness that immediate termination will result. Examples of more serious misconduct include, but are not limited to, sexual or racial harassment, insubordination, violation of the Substance Abuse Policy, and disregard of the Company Safety Policy, fighting, theft and falsification of records.

Listed below are examples of unacceptable conduct. The list is not exhaustive. The Company retains the right to terminate any employee, at any time, for any reason or for no reason at all. This list is intended solely as a guide to unacceptable conduct.

* Sexual Harassment, Racial Harassment or other inappropriate conduct
* Insubordination
* Violation of the Substance Abuse Policy
* Disregard of the Company safety Policy
* Fighting
* Theft
* Falsification of records
* Excessive absenteeism or tardiness
* Failure to follow instructions
* Failure to perform work efficiently and in accordance with established quality standards
* Conduct endangering the life, safety or health of others
* Violation of jobsite rules
* Dishonesty

In any given case, the company may find it appropriate to impose greater or lesser disciplinary action, based on individual circumstances. Nothing in this policy should be construed as limiting the discretion to impose any level of discipline at any time, up to and including discharge, as circumstances warrant. Nothing in this policy alters an employee’s status as an “at will” employee or creates any contractual rights, either expressed or implied. The company will apply this Policy in a matter that is consistent with the requirements of an applicable Union Agreement, and to appropriate local, state and federal laws.

Download [Section 02.01.06 – General Conduct and Disciplinary Policy - Spanish](https://employee.henselphelps.com/EmployeeResources/FOG/FOG_Manual/FOG%2002%20-%20Personnel%20Policies/FOG%2002.01.02%20-%20Equal%20Employment%20Opportunity%20(EEO)%20and%20Anti-Harassment%20Policy%20-%20Spanish.docx) for the Spanish version of this General Conduct and Disciplinary Policy.