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Brunel Energy, Inc.

Disciplinary Action

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1. Purpose

- 1.1. Brunel Energy, Inc., herein, the “Company,” has established a disciplinary action policy to enforce the safety and human resource policies of the Company.

2. Applicability

- 2.1. This policy applies to all employees of the Company. For the purposes of this policy, an employee shall be considered on the job whenever he/she is:
 - 2.1.1. On or in, any Company or client property, including parking areas; or
 - 2.1.2. On Company time even if off Company premises (including paid lunch, rest periods and periods of being on call).
- 2.2. As a condition of employment, Company employees are required to abide by additional governmental or customer policies and requirements that may be imposed at a worksite in addition to the requirements of these policies and procedures. Nothing set forth in this policy constitutes, construes, or interprets in any way as a contract of employment.

3. Responsibilities

- 3.1. Manager(s) shall:
 - 3.1.1. Support and guidance to the first level supervisors.
 - 3.1.2. Assist in the investigation of any instances of unacceptable conduct or behavior when appropriate.
 - 3.1.3. Ensure that this plan is followed correctly, and that the employee is treated in a fair and consistent manner.
 - 3.1.4. Investigate all employees’ written appeals and render a written determination to the employee, copied to the immediate supervisor.
- 3.2. HSE Supervisor(s) shall:
 - 3.2.1. Establish and communicate the expected standards of employee work performance and employee conduct in the workplace.
 - 3.2.2. Investigate any instances of unacceptable conduct or behavior and ensure that this plan is followed correctly, and that the employee is treated in a fair and consistent manner.
 - 3.2.3. Conduct periodic inspections of work areas to ensure compliance with safety rules and policies.
- 3.3. Human Resources shall:
 - 3.3.1. Provide consultation and guidance on the effective application of this plan, maintain records of disciplinary action, and to consult and liaise with legal counsel should this be required.

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4. Procedure

4.1. Documentation Standard

4.1.1. The Company shall take corrective measures should it believe an employee has committed an offense or demonstrated a behavior that required corrective counseling or disciplinary action. Examples of behaviors or offenses include, but are not limited to:

- 4.1.1.1. Any willful interference with work, or intentional slowdowns or delays.
- 4.1.1.2. Deliberate destruction or damage of Company / customer property or that of another employee.
- 4.1.1.3. Deliberate removal of Company property or that of another employee without consent.
- 4.1.1.4. Falsification or knowingly furnishing false information.
- 4.1.1.5. Fighting or disorderly behavior on Company property or at Company activities whether or not during working hours.
- 4.1.1.6. Sale, purchase, possession, or illegal use of prohibited substances, or coming to the premises under the influence of prohibited substances.
- 4.1.1.7. Insubordination or the willful refusal to follow instruction or perform designated work.
- 4.1.1.8. Harassment, as defined by the Equal Employment Opportunity Commission, while on Company property or at Company related activities at any time.
- 4.1.1.9. Possession of weapons on Company property.
- 4.1.1.10. Absenteeism without prior timely notice to and consent of the supervisor.
- 4.1.1.11. Neglect of duty which results in the employee's failure to meet work standards or perform the job in a safe manner and not following safety rules and regulations, i.e., not using fall protection, not wearing proper PPE.
- 4.1.1.12. Knowingly not complying with Company policies, applicable government legislation, industry safety procedures, or other forms of generally accepted rules and practices.

4.1.2. Once the Company has determined that an employee has demonstrated behavior or committed an offense requiring disciplinary action, steps shall be taken to ensure the employee is made aware of his behavior or offense and that corrective measures are being taken to ensure the behavior or offense does not occur again.

4.1.3. In order of increasing severity, the steps shall be:

- 4.1.3.1. Verbal Warning
- 4.1.3.2. First Written Warning
- 4.1.3.3. Final Written Warning
- 4.1.3.4. Dismissal
- 4.1.3.5. Notification

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- 4.1.3.6. Appeal
- 4.1.4. Not all behaviors or offenses shall require all steps. In some cases, a verbal warning shall be all that is required. In other more severe offenses, immediate dismissal shall be administered.
- 4.1.5. All disciplinary action shall be put in personnel files held by Human Resources and employees shall be notified.
- 4.2. Verbal Warning
 - 4.2.1. A verbal warning shall be given for misconduct of a minor nature. All verbal warnings shall be noted in the supervisor's/manager's file indicating the infraction, date and time of the occurrence and the form and nature of the warning. It shall also note how the behavior is to be corrected and what consequences will occur for the employee for failing to correct the behavior.
 - 4.2.2. Examples that shall warrant a verbal warning include, but are not limited to:
 - 4.2.2.1. Occasional tardiness or absenteeism without prior timely notice.
 - 4.2.2.2. Lack of professionalism or minor breaches of respect towards other employees.
 - 4.2.2.3. Minor neglect of duty, which results in the employee's failure to perform his or her job.
- 4.3. First Written Warning
 - 4.3.1. The first written warning shall not generally be given to the employee unless the verbal warning step has been taken first. In some cases, the severity of the conduct shall require an immediate written warning.
 - 4.3.2. Examples of breach of conduct which shall result in a first written warning being issued include, but are not limited to:
 - 4.3.2.1. Insubordination
 - 4.3.2.2. Unexplained or unreasonable absenteeism
 - 4.3.2.3. Poor timekeeping
 - 4.3.2.4. Poor work performance
 - 4.3.2.5. Failure to follow Company procedures
 - 4.3.2.6. Verbal warning already given
- 4.4. Final Written Warning
 - 4.4.1. A final written warning shall be issued if the employee already has a first written warning on file and commits another breach of conduct or performance. In some cases, the severity of the conduct shall require an immediate final written warning.
 - 4.4.2. Examples of breach of conduct which shall result in a final written warning being issued include, but are not limited to:
 - 4.4.2.1. Bullying

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- 4.4.2.2. Breach of safety or other Company policies or procedures
- 4.4.2.3. Unauthorized prolonged or repeated absence
- 4.4.2.4. Repeated verbal warnings
- 4.4.2.5. Damage to Company property
- 4.4.3. In some cases, it shall be necessary to draw up a performance improvement plan in conjunction with the written warning, giving specific details of the improvement required, applicable deadlines, as well as clear consequences of not achieving the standard of improvement required.
- 4.5. Dismissal
 - 4.5.1. An employee shall be dismissed if he/she does not meet the expected Company standards of conduct or capability and he/she has a final written warning on file.
 - 4.5.2. An employee shall also be dismissed if the breach of conduct or capability is serious enough to warrant immediate dismissal – Gross Misconduct. If dismissal is an option that is being contemplated, the Senior Manager shall be part of the dismissal decision process.
 - 4.5.3. Examples of gross misconduct are, but are not limited to:
 - 4.5.3.1. Theft
 - 4.5.3.2. Assault
 - 4.5.3.3. Working while under the influence of drugs and/or alcohol
 - 4.5.3.4. Falsifying Company records
 - 4.5.3.5. Serious breach of safety or other Company procedures
 - 4.5.3.6. Harassment or discrimination
- 4.6. Notification
 - 4.6.1. If the Company determines that the employee’s conduct or performance warrants dismissal, the Company shall notify the employee in person whenever possible and confirm the decision in writing. An employee’s refusal to sign a termination notice does not alter its validity.
- 4.7. Appeal
 - 4.7.1. The employee has the right to appeal against any warning or dismissal. The appeal is not a “second chance” and employee shall have valid grounds for an appeal. The Company’s decision once an appeal has been reviewed shall be final.
 - 4.7.2. Examples of situations which shall give grounds for an appeal are:
 - 4.7.2.1. Evidence was not taken into account or came to light after the disciplinary hearing.
 - 4.7.2.2. The sanction applied is too serious for the offense committed, previous precedents may play a role in determining the level of discipline applied.

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5. References

- 5.1. U.S. Equal Employment Opportunity Commission
- 5.2. Drug and Alcohol Policy

6. Appendix

- 6.1. Disciplinary / Counseling Report
- 6.2. EEOC Harassment Guidelines

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APPENDIX 6.1 DISCIPLINARY / COUNSELING REPORT

Employee Name:	Last 4 of SS#:		
Date of Occurrence:	Time:	AM	PM
Position:	Manager:		
Name of Person Initiating Disciplinary Action:			

ACTION TAKEN:

Coaching/Counseling
 Verbal Warning
 Written Warning
 Suspension _____ Days

** Depending on the nature of the offense, The Company reserves the right to skip any steps at its discretion**

DESCRIPTION OF DISCIPLINARY ISSUE:

Absenteeism
 Tardiness
 Unsatisfactory Work Performance
 Misconduct
 Unsafe Act
 Violation of Rules/Policy
 Insubordination
 Other:

Explain disciplinary issue in detail (please list dates for an absenteeism or tardiness issues):

Goals / Corrective Behavior:

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Employee Comments:

You are formally being warned to bring to your attention the severity of this situation. Failure to correct this behavior and/or further violation of Company policy will result in additional disciplinary action up to and including termination. By signing below, you acknowledge that you have received this notice.

_____ Employee Signature	_____ Date
_____ Signature of Manager / Supervisor	_____ Date
_____ Signature of HR Manager/Designee	_____ Date

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Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.

The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.

Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

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It is unlawful to harass a person (an applicant or employee) because of that person’s sex. Harassment can include “sexual harassment” or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person’s sex. For example, it is illegal to harass a woman by making offensive comments about women in general.

Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex.

Although the law doesn’t prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.