



ELECTRICAL TRAINING INSTITUTE

For
NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION L.A. COUNTY CHAPTER
And
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION NO. 11



CONDUCT POLICY FOR THE ELECTRICAL TRAINING INSTITUTE

Any person who enters the ETI premises is required to follow this Policy, including the incorporated Discrimination, Harassment, and Retaliation Prevention Policy, whether such person is a student, a former apprentice, a former employee, a journey-level worker, a Local Union member, a visitor, etc. (The Apprentices and Electrician Trainees are also required to abide by separate Rules of Conduct detailed in their written Policies, and the Employees are required to follow similar policies contained in the ETI Employee Handbook.)

Any non-apprentice student who attends training or classes at the ETI facility must agree to abide by this Conduct Policy, including the attached incorporated Discrimination, Harassment, and Retaliation Prevention Policy, and signify their agreement by signing and returning to the ETI the acknowledgement form attached as the last page to this document.

The Joint Apprenticeship and Training Committee (JATC) and/or the ETI may impose disciplinary action against any person who violates this Conduct Policy and/or the Discrimination, Harassment, and Retaliation Prevention Policy attached hereto. Such disciplinary action may include, but is not limited to, a temporary or permanent suspension of any student's ability to attend any training classes through the ETI, the banning of such person from the ETI or any ETI training facility, and the referral of such a person to the Local Union for possible additional disciplinary action.

Any such student who violates either of these Policies will be advised in writing of the date of the JATC or Subcommittee meeting wherein such discipline may be imposed, and the fact that they can submit a written statement and any relevant documents to the JATC or Subcommittee for consideration at the meeting. Although the student may also request to appear and be heard at the JATC or Subcommittee meeting, the JATC or the Subcommittee has the full discretion to grant or deny any such person's request. The decision of the JATC will be final and binding on all parties. Furthermore, the ETI Training Director and authorized representatives have the authority to take such disciplinary action on an interim basis until the next regularly scheduled JATC or Subcommittee meeting, at which time the JATC will ratify, amend, or terminate any such interim disciplinary action taken.

The following types of behavior constitute violations of the Conduct Policy:

- 1) Possession of alcohol or drugs, or being under the influence of alcohol or drugs, at the ETI's facilities or while attending an ETI in-person or virtual class, or any

other conduct which violates any IBEW/LA NECA Substance Abuse policy.

- 2) Insubordination, refusing to perform properly assigned tasks in the appropriate manner, or failing to follow the instructions of any instructor, coordinator, Committee Member, Subcommittee member, or ETI personnel (including security guards).
- 3) Using abusive, malicious, or profane language, and/or confrontational or threatening behavior, whether in-person, over the telephone, via mail, email, or text, towards any student, instructor, coordinator, ETI personnel, Committee or Subcommittee Member, Trustee, or any other person associated with the ETI or its training programs in general (including security guards).
- 4) Dishonest behavior including, but not limited to, making false statements to instructors, coordinators, ETI personnel, Committee or Subcommittee Members, or Trustees; falsification of student records; or cheating on tests, quizzes or other assignments.
- 5) Causing, creating, or participating in classroom disturbances.
- 6) Gambling at the ETI's facilities.
- 7) Possession of a weapon or explosives at the ETI's facilities, violating safety rules or practices, or engaging in conduct that creates a safety or health hazard.
- 8) The unauthorized possession, removal, or sale of ETI, employer, or student property, funds, records, or other materials including, but not limited to, the furnishing of answers to quizzes, tests, or other materials to students or other non-authorized personnel.
- 9) Provoking a fight, fighting, or engaging in any other act of violence or threat of violence at the ETI's facilities on in connection with training offered by the ETI.
- 10) Violation of the Discrimination, Harassment, and Retaliation Prevention Policy, a copy of which is attached hereto and is incorporated by this reference, including failure to cooperate or refusal to participate in the investigation of claims of discrimination, harassment, or similar matters.
- 11) Unauthorized entry of the ETI's facilities.
- 12) Wearing or displaying of offensive, extreme, or unprofessional styles of dress, hair, or body art at the ETI's facilities or during virtual classes, which may cause or contribute to a hostile work environment as described in the Discrimination, Harassment, and Retaliation Prevention Policy.
- 13) Engaging in any illegal or criminal conduct at the ETI's facilities.

- 14) Using tobacco, tobacco related products (including chewing tobacco), E-Cigarettes, and “Vape” products, on ETI’s premises in areas other than the designated area for smoking.
- 15) Bringing any animal (such as a service dog) to class, or audio or video-recording during class, unless the student has been granted prior written authorization from the Training Director to do so, which authorization will only be granted based on sufficient documentation provided. (The Training Director will follow all state and federal laws with regard to granting or denying of this authorization.)
- 16) Violating the ETI’s COVID-19 Prevention Policy, or failing to abide by any ETI rules or policies regarding COVID-19.
- 17) Any conduct that JATC deems detrimental to any student, instructor, ETI employee, Committee Member, Subcommittee Member, Trustee, or any other person associated with the ETI or its training programs in general.

STUDENT AGREEMENT AND ACKNOWLEDGEMENT:

By signing below, I agree that I have read the Conduct Policy for the Electrical Training Institute, as well as the incorporated Discrimination, Harassment, and Retaliation Prevention Policy, and that I agree to abide by both of those Policies.

Date: _____ Print Name: _____

Sign Name: _____

DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION POLICY

Policy

The JATC and the ETI (collectively, "JATC") is committed to providing a professional working, learning, and training environment ("environment") free from discrimination and harassment based on a protected category, and an environment free from retaliation for participating in any protected activity covered by this policy. The JATC is committed to providing equal employment opportunities to all employees, students, apprentices, and apprentice applicants (collectively, "students"). Accordingly, we have adopted and maintain this anti-discrimination policy designed to encourage professional and respectful behavior and prevent discriminatory and harassing conduct in our operations. We will implement appropriate corrective action(s), up to and including formal discipline, in response to misconduct--including violations of this anti-discrimination policy--even if the violation does not rise to the level of unlawful conduct.

The JATC prohibits discrimination or harassment based on the following categories: race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves, domestic violence victim status, political affiliation, and any other status protected by state or federal law. In addition, the JATC prohibits retaliation against a person who engages in activities protected under this policy. Reporting, or assisting in reporting, suspected violations of this policy and cooperating in investigations or proceedings arising out of a violation of this policy are protected activities under this policy.

All employees and students are expected to assume responsibility for maintaining an environment that is free from discrimination, harassment, and retaliation. Students and employees are encouraged to promptly report conduct that they believe violates this policy so that we have an opportunity to address and resolve any concerns. Managers, supervisors, coordinators, and instructors are required to promptly report conduct that they believe violates this policy. We are committed to responding to alleged violations of this policy in a timely and fair manner and to taking appropriate action aimed at ending the prohibited conduct.

Scope of Protection

This policy applies to JATC's students, applicants, apprentices and ETI employees (including, but not limited to, coordinators, instructors, supervisors, and managers). As used in this policy, the term "employee" includes contractors and volunteers in our programs. In addition, this policy extends to conduct with a connection to our programs, even when the conduct takes place away from the ETI's premises, such as during on-

the-job training, or at a program-related social function.

Student/Employee Rights

- The right to a discrimination, harassment, and retaliation-free environment.
- The right to file a complaint of discrimination, harassment, or retaliation. Employees and students are encouraged to report inappropriate conduct immediately and, whenever possible, to put the complaint or concern in writing.
- The right to a full, impartial and prompt investigation by a JATC representative or designee into allegations of conduct that would violate this policy.
- The right to be timely informed of appropriate information related to the outcome of an investigation either as a complainant or a respondent in the investigation.
- The right to be free from retaliation or reprisal after filing a complaint or participating in the complaint process.
- The right to file a complaint directly with the California Department of Fair Employment and Housing, the federal Equal Employment Opportunity Commission or other appropriate state or federal agencies, or to file a civil action in the appropriate court.

Conduct Prohibited by this Policy/Definitions

Discrimination:

As used in this policy, discrimination is defined as the unequal treatment of an employee or student in any aspect of employment, learning, or training, including discrimination based solely or in part on the employee's or student's protected category. Protected categories include: race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves, domestic violence victim status, political affiliation, and any other status protected by state or federal law. Discrimination includes unequal treatment based upon the employee's or student's association with a member of these protected classes.

Discrimination may include, but is not necessarily limited to: hostile or demeaning behavior towards employees or students because of their protected category; allowing the employee or student's protected category to be a factor in hiring, promotion, compensation or other program or work related decisions unless otherwise permitted by applicable law, and providing unwarranted assistance or withholding employment-related or training-related assistance, cooperation, and/or information to employees or students because of their protected category.

Harassment:

As used in this policy, harassment is defined as disrespectful or unprofessional conduct based on any of the protected categories listed above. Harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), visual (such as the posting or distribution of offensive posters, symbols, cartoons, drawings, computer displays, or emails), or physical conduct (such as physically threatening another person, blocking someone's way, making physical contact in an unwelcome manner, etc.).

Sexual Harassment:

As used in this policy sexual harassment is defined as harassment based on sex or conduct of a sexual nature, and includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity or gender expression. It may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

Sexual harassment is generally categorized into two types:

1. Quid Pro Quo Sexual Harassment ("this for that")
 - Submission to sexual conduct is made explicitly or implicitly a term or condition of an individual's participation in employment or training.
 - Submission to or rejection of the conduct by a student is used as the basis for employment or training decisions affecting the student.

2. Hostile Environment Sexual Harassment
 - Conduct of a sexual nature or on the basis of sex by any person in the employment or training environment that unreasonably interferes with an employee's work performance or a student's school performance and/or creates an intimidating, hostile or otherwise offensive employment or training environment. Examples include:
 - Unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails or gifts.
 - Sex, gender or sexual orientation-related comments, slurs, jokes, remarks or epithets.
 - Leering, obscene or vulgar gestures or making sexual gestures.
 - Displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items.
 - Impeding or blocking movement, unwelcome touching or assaulting others.
 - Any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances.
 - Conduct or comments consistently targeted at one gender, even if the content is not sexual.

Retaliation:

As used in this policy retaliation is defined as any adverse action taken against an individual in the employment or training environment because the individual engaged in activity protected under this policy. Protected activities may include, but are not limited to, reporting or assisting in reporting suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy.

Adverse action in this context is conduct or an action that materially affects the terms and conditions of the employees' work or the students' learning or training status or is reasonably likely to deter the individual from engaging in protected activity. Even actions that do not result in a direct loss of compensation may be regarded as an action when considered in the totality of the circumstances.

Examples of retaliation under this policy include but are not limited to: suspension from work or training opportunities; certain other disciplinary actions; harassing another person for filing a complaint; treating employees or students differently such as denying an accommodation; or not talking to an employee or student when otherwise required by employment or training, or otherwise excluding the employee from work-related activities or the student from training-related activities because of engagement in activities protected under this policy.

Training Requirements

Every two years, all supervisory employees of the ETI must attend Sexual Harassment Prevention and Workplace Civility training aimed at increasing their understanding of and preventing workplace sexual harassment (including harassment on the basis of sexual orientation, gender identity, and gender expression) and their role in creating an underlying culture of mutual respect in our workplace. Specific components of the training will include how to promptly and effectively respond to sexual harassment when it occurs, the effects of abusive conduct in the workplace, and ways to appropriately intervene if one witnesses behavior that is not in keeping with this policy. The training must be provided by trainers who, in addition to the other requirements set forth in 2 CCR 11024, have the ability through training or experience to train supervisors on how to identify, investigate, report, and respond to unlawful harassment, discrimination, and retaliation in the workplace. Similar training will be provided to all non-supervisory personnel for at least one hour every two years as required by California law.

Addressing and Reporting Violations of this Policy

Any employee or student who experiences or witnesses behavior that they believe violates this policy is encouraged to immediately tell the offending individual that the behavior is inappropriate and, if they feel comfortable doing so, to tell the offending individual to stop the behavior. The student or employee should also immediately report the alleged violation to any instructor, any supervisor, or the Training Director/Harassment Officer. There is no chain of command when contacting the Training Director/Harassment Officer; an individual does not need any prior approval to do this. If the alleged offender

is the student's instructor, the student should report the conduct to any other instructor or the Training Director/Harassment Officer. A complaint may be brought forward verbally or in writing. Written complaints can be made using the Complaint Form (attached to this policy).

Instructors or supervisors who learn of any potential violation of this policy are required to immediately report the matter to the Training Director/Harassment Officer, and must follow that Officer's instructions as to how best to proceed.

The JATC will promptly look into the facts and circumstances of any alleged violation, as appropriate. Even in the absence of a formal complaint, the JATC may initiate an investigation where it has reason to believe that conduct that violates this policy has occurred. Moreover, even where a complainant conveys a request to withdraw their initial formal complaint, the JATC may continue the investigation to ensure that the environment is free from discrimination, harassment and retaliation. Anonymous complaints will also be investigated. The method will depend on the details provided in the anonymous complaint. If the complaint is sufficiently detailed, the investigation may be able to proceed in the same manner as any other complaint. If the information is more general, the JATC may need to do an environmental assessment or survey to try to determine if misconduct has occurred. All investigations will be fair, impartial, timely, and completed by qualified personnel.

To the extent possible, the JATC will endeavor to keep the reporting of the complainant's concerns confidential; however, complete confidentiality cannot be guaranteed when it interferes with the JATC's ability to fulfill its obligations under this policy. All employees and students are required to cooperate fully with any investigation. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation. Upon completion of the investigation, if misconduct is substantiated, the JATC will take appropriate corrective and preventive action calculated to end the conduct up to and including formal discipline where warranted.

Contact information for the JATC's Training Director/Harassment Officer is:

David Nott, dmnott@laett.com, (323) 221-5881

Filing of Complaints Outside Our Company

Employees and students may file formal complaints of discrimination, harassment, or retaliation with the agencies listed below. Individuals who wish to pursue filing with these agencies should contact them directly to obtain further information about their processes and time limits.

California Department of Fair Employment and Housing
2218 Kausen Drive, Suite 100

Elk Grove, CA 95758
800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at 711
contact.center@dfeh.ca.gov
<https://www.dfeh.ca.gov>

U.S. Equal Employment Opportunity Commission
450 Golden Gate Avenue 5 West
P.O Box 36025
San Francisco, CA 94102-3661
1-800-669-4000 or 510-735-8909 (Deaf/hard-of-hearing callers only)
<http://www.eeoc.gov/employees>

Corrective Action Guidelines

The JATC will take appropriate corrective action(s) up to and including formal discipline against any student or employee when an investigation has found that misconduct occurred. Such corrective action(s) may include, but are not limited to, letters of reprimand, suspension, demotion, or termination. Additionally, depending on the nature of the violation, civil liability could be imposed on the violator as well as the JATC.

**DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION POLICY
COMPLAINT FORM**

COMPLAINANT INFORMATION

NAME:

PHONE:

Please describe the conduct that you believe violates the Discrimination, Harassment or Retaliation Prevention Policy. In your narrative, describe: (1) What happened to you; (2) Why you believe you are being discriminated, harassed, or retaliated against, including the reason or evidence you have to support your belief, and; (3) When the acts of discrimination, harassment, or retaliation occur (attach additional pages if needed). If you require assistance with completing this form as a reasonable accommodation, please contact the Training Director/Harassment Officer.

PERSON(S) ALLEGED TO HAVE VIOLATED THE POLICY

Person #1 - Name: _____ Position: _____

Person #2 - Name: _____ Position: _____

Person #3 - Name: _____ Position: _____

PERSON(S) WITH INFORMATION/KNOWLEDGE OF THE ALLEGED INCIDENTS

Witness Name: _____ Position: _____

Witness Name: _____ Position: _____

Witness Name: _____ Position: _____

HAVE YOU COMPLAINED TO ANYONE AT THE JATC ABOUT THIS MATTER?

If yes, explain the situation. When did you complain, to whom, and what was the result?

Please submit to the Training Director/Harassment Officer:

Complainant Name: _____

Complainant Signature: _____

Date: _____