

Local 28 Guidelines for Ensuring Equal Employment Opportunity in the Workplace and Reporting Discrimination

Office of Court Compliance Officer Contact Information:

Ms. Françoise Jacobsohn

Phone: (646) 893-4132 ... Fax: (212) 202-3747 ... Hotline: 1 (800) 366-4814*

Email: OCC@local28occ.com

Freedom from Discrimination

It is the policy of Local 28 to promote and ensure equal employment and certification opportunity for all persons. If you feel that you have been treated unfairly, please contact the Office of Court Compliance Officer (OCC) at the secure phone numbers, secure fax or secure e-mail address above. Local 28 has pursued, and will continue to pursue, affirmative programs to promote equal employment opportunities. Local 28 will not tolerate, condone or allow discrimination or retaliation by any of its officials, staff, members or any contractor employing its members.

| Types of discrimination prohibited by law as of 12/1/15 | | | |
|--|---|--|--|
| Race | Color | National Origin | Alienage |
| Religion | Sex (including pregnancy, childbirth, and related medical conditions) | Disability: physical or mental | Age (18 and older) |
| Genetic information | Marital status | Sexual orientation (includes perceived sexual orientation) | Lawful use of any product or lawful recreational activities when not at work |
| Military status or service | Observance of Sabbath | Political activities | Use of service dog |
| Criminal accusation (Arrest or Conviction Record) | Domestic violence victim status | Status as a victim of Stalking and Sex Offenses | Harassment |

In order to foster equal employment opportunity in the workplace, all Local 28 members must play an important role in maintaining an environment of equal opportunity and must treat all colleagues with respect and professionalism. Listed below are some examples of situations at a jobsite that should “raise a red flag” that illegal discrimination may be occurring:

- Racist, sexist or ethnically derogatory signs, graffiti, clothing, or other such messages.
- Racist, sexist or ethnically derogatory remarks or conversation.
- A pattern of hiring only white male members
- A pattern of preventing non-whites from working on complex assignments or assignments that teach important skills.
- A pattern of failing to give overtime work to non-whites and/or repeatedly using a predominately-white “overtime crew”.
- A pattern of harassing behavior that is so frequent or severe 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 Hotline may be accessed 24 hours a day, 7 days a week. The OCC will reply to all caller's messages within 48 hours except for weekends and holidays.

Reporting Discrimination

It is the policy of Local 28 to ensure and maintain a working environment free of coercion, harassment, and intimidation at all job sites, and in all facilities at which members are assigned to work. Any violation of the policy should be immediately reported to the Office of Court Compliance Officer (OCC) regardless of who the offender may be.

1. Notification of Appropriate Persons

Individuals who believe they have been subjected to discrimination or who have observed discrimination or retaliation should report the incident in one of the following ways:

- a. Call directly to the Office of Court Compliance Officer (OCC) – Françoise Jacobsohn: (646) 893-4132;
- b. Send a fax to the secure fax line accessible only by the OCC at (212) 202-3747;
- c. Call the secure hotline accessible only by the OCC established for handling such complaints: 1(800)366-4814*;
- d. Send an e-mail to the secure email address accessible only by the OCC: OCC@local28occ.com;
- e. Send a written complaint via certified mail to Françoise Jacobsohn, Local 28's Office of Court Compliance Officer (OCC), 500 Greenwich Street, Suite 503, New York, NY 10013;
- f. In addition, you can make your concerns relating to racial matters known to the plaintiffs' counsel in the discrimination court case by leaving a message on their toll-free hotline at 1(866) 748-5968; and
- g. Nothing in this policy is meant to prevent or limit a member from exercising his or her right to make a complaint to the Special Master, in the federal discrimination case against the local, by calling the Special Master's Office at (212) 732-5400, or sending an email to raffd@raffbecker.com.

2. Timeframe for reporting

Local 28 encourages prompt reporting of discrimination complaints so that appropriate action may be taken and the person affected can preserve all rights under the Union Constitution, the Collective Bargaining Agreement, and applicable law. Local 28 thus recommends that any complaint be made to the OCC as soon as possible after the alleged discrimination.

3. Protection Against Retaliation

Local 28 will not retaliate against any individual who makes a report of discrimination. Retaliation is a serious violation of this policy and should be reported to the OCC or one or more of the individuals listed below immediately. Any official, union staff, member or employer found to have retaliated against a member for reporting discrimination will be subject to the same disciplinary action provided for those determined to have violated this policy (see “Investigating and Resolving the Complaint” below.)

Investigating and Resolving the Complaint

1. Investigation

Any allegation of discrimination once brought to the attention of the OCC will promptly be investigated by the OCC. Among other things, the OCC will send a written demand for explanation to any contractor or Local 28 member who is alleged to have discriminated against a member of Local 28. The OCC will also conduct interviews with relevant parties as part of the investigation.

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2. Confidentiality

All information disclosed will be kept as confidential as possible meaning it will be made known only to those with a clear need to know. For instance, the OCC, and anyone else the alleged discrimination is reported to, is required to notify the Plaintiffs' counsel, the Special Master and the Field Monitor of the allegations.

3. Sanctions

Members found to have engaged in misconduct constituting discrimination will be disciplined under Article 17 of the Constitution & Ritual. Employers found to have engaged in misconduct constituting discrimination will have a grievance filed against them by Local 28 under the nondiscrimination clause of the Collective Bargaining Agreement.

Contact Information

IF YOU BELIEVE THAT YOU HAVE BEEN DISCRIMINATED AGAINST BY A UNION OFFICIAL, STAFF, MEMBER OR ANY CONTRACTOR EMPLOYING LOCAL 28'S MEMBERS, PLEASE CONTACT ONE OF THE FOLLOWING:

Office of Court Compliance Officer (OCC)

Ms. Françoise Jacobsohn
500 Greenwich Street, Suite 503
New York, NY 10013
Direct Phone Number: (646) 893-4132
Secure Fax Number: (212) 202-3747
Secure Toll-free Hotline: 1(800) 366-4814*
Secure OCC Email: OCC@local28OCC.com

Plaintiffs' Counsel

Toll-free Hotline: 1(866) 748-5968

Special Master's Office

Phone: (212) 732-5400
Email: raffd@raffbecker.com

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