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# **Standards of Conduct**

**And**

# **Business Ethics**





May 2008

The history of Bechtel Jacobs Company LLC (BJC) has been one of constant change, from changes in leadership to changes in the contract structure. However, regardless of how many changes we experience, there have been and will be no changes in our strong commitment to the Standards of Conduct and Business Ethics. These standards are fundamental to our company. Continuing to maintain the highest standards of professional and ethical conduct is a key factor that will contribute to BJC's success through accelerated clean-up. We want to be known to our customers, suppliers, subcontractors, the public, and our competitors as an organization that is accountable for its products and actions. It can be one of the company's most valuable assets and is the direct result of your conduct both on and off the job.

The company's firm commitment to fair and ethical behavior is spelled out in the attached document. Today, this commitment is more important than ever. Increased attention in recent years to contractor fraud, waste, and abuse has caused the government to examine and monitor the work of its contractors and their employees through civil and criminal sanctions. As you know, being a contractor to the Department of Energy (DOE) brings us under close scrutiny by government auditors and also by the public. With BJC policies as a solid base, emphasis is being placed on providing awareness and training in business ethics and standards of conduct in the government contracting process, monitoring compliance with government requirements, and creating an atmosphere conducive to resolving potential problems.

Our Company's continued success depends upon our ability to deliver quality without compromising our ethics, morals, or values. It is imperative that all employees understand the importance of conducting business with an indisputable standard of ethics and that they recognize BJC's deep commitment to these standards. It is essential to demonstrate compliance and uphold the highest of ethical standards in all that we do. Even the appearance of wrongdoing can significantly damage our reputation. BJC has no tolerance for unethical or noncompliant behavior. If you engage in such conduct, you will not be helping the Company and you will be putting yourself at personal risk.

The BJC Standards of Conduct and Business Ethics Program Description has been prepared to help each of us become more sensitive to the ethical aspects and considerations of our government business. We suggest that you keep it handy at all times. Review it frequently on your own and discuss it with your colleagues. If you have any ethical questions in the course of your work, consult with your supervisor or manager and/or with a member of the BJC Legal Department, or call the Ethics Helpline (865-241-0933 or 1-888-584-8328). They can answer questions and provide guidance concerning your situation.

A handwritten signature in black ink, appearing to read "Paul Divjak".

Paul Divjak  
President and General Manager

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## **INTRODUCTION**

### **Background**

It is Bechtel Jacobs Company's policy to conduct all business activities under the highest ethical standards. We must be particularly careful to meet all of the requirements of government regulations, and that we fulfill our obligations to our customer, the Department of Energy (DOE), and to the public, by:

- Performing our Prime Contract scope of work in a manner that fully complies with all contractual and legal obligations, and that meets our own high standards of integrity and quality.
- Administering our subcontracts and purchase orders in a manner that fully complies with the letter and intent of the law.

To fulfill the company's commitment to compliance, each employee needs a clear understanding of the laws, regulations and rules that apply to the job at hand. Employees without such an understanding run the risk of noncompliance. For the company, noncompliance could lead to civil and criminal penalties and to suspension of the privilege of doing business with the government; for the employee, it could result in termination of employment, and potentially to fines and imprisonment. These risks can be avoided if each of us makes a personal commitment to understand the rules and abide by them.

Congress has passed numerous laws that complicate the federal procurement process. In addition to stipulating increased civil and criminal penalties for noncompliant firms, many of these new laws stipulate fines for, and imprisonment of, employees guilty of violations. Federal Acquisition Regulations provide for suspension and debarment of a firm found to have committed any procurement-related crime.

### **Purpose Of This Program Description**

This program description has been prepared to provide guidance in applying Bechtel Jacobs Company Standards of Conduct and Business Ethics to your particular work situation. A number of specific instances are described to show where and how the Standards of Conduct and Business Ethics come into play. After you have read this material, you should have a clear sense of what sort of behavior is unacceptable. Naturally, you may still have questions, and during the course of your employment new questions may arise. Since you are expected to know the rules and are ultimately responsible under the law for your own actions, you are urged to resolve any such questions with your supervisor or through the other alternatives described below.

We are determined to enforce our policy of compliance, to investigate any reported violations, and to take disciplinary action against employees who willfully violate the policy. We have a responsibility to demonstrate to our customer and to the public that we are accountable for our actions, and that we have the ability to conduct our business in a manner that is deserving of trust.

## **POLICY**

Bechtel Jacobs Company is committed to fair and ethical behavior. The Bechtel Jacobs Company Standards of Conduct and Business Ethics, along with company policies, establish criteria for ethical conduct by its employees. All Bechtel Jacobs Company employees are required to comply with these standards and policies, as well as with applicable local, state, and federal laws.

As a Bechtel Jacobs Company employee, any action that you take in the course of your day-to-day work, and in relationships with customers, suppliers, subcontractors, and others, is expected to be lawful, fully justifiable, and not to be a cause for concern or unfavorable publicity or embarrassment if disclosed. You are expected to avoid unlawful or unethical actions.

Bechtel Jacobs Company policy requires that you:

- Reject any plan, transaction, or arrangement involving unlawful or unethical conduct or the appearance of impropriety.
- Avoid any arrangement, agreement, investment, employment, relationship, act, or interest that is, or appears to be, contrary to the best interest of Bechtel Jacobs Company or DOE, or that in any way might impair the objective performance of duties or the exercise of independent judgment or action with respect to the interests of Bechtel Jacobs Company or DOE.
- Protect and maintain the security of confidential, classified, and privileged information relating to Bechtel Jacobs Company or associated with its activities or employees, including financial data related to operations of Bechtel Jacobs Company. Such information includes that furnished by DOE, suppliers, subcontractors, or others under conditions of confidentiality.
- Provide professional and impartial opinions and judgments and actions based on objective consideration of what is in the best interests of Bechtel Jacobs Company and DOE.
- Inform a supervisor, manager, the Legal Department or the Ethics Helpline at 1-888-584-8328 of any incident or situations of potential illegal, improper or unethical conduct or conflicts of interest.
- Seek advice of Bechtel Jacobs Company Legal Counsel or the Ethics Helpline when any uncertainty or unusual or special circumstances exist.

Since there may not always be existing regulations to guide you in every situation, you are expected to apply your own high personal sense of ethics, which should extend beyond minimum compliance with applicable laws, in the day-to-day performance of company business. If there is an issue you are unable to resolve, you should contact your supervisors, managers, Human Resources, Employee Concerns (865-241-0931 or 1-888-584-8329), the Ethics Helpline (865-241-0933 or 1-888-584-8328) or Bechtel Jacobs Company Legal Counsel. If there is, or appears to be, a conflict between two sets of laws, you should seek advice from Bechtel Jacobs Company Legal Counsel.

## **RESPONSIBILITIES**

### **All Employees**

- Be thoroughly familiar with Bechtel Jacobs Company's Standards of Conduct and Business Ethics and always follow the guidelines. Where no guideline exists, apply a high personal sense of ethics, which should extend beyond minimum compliance with applicable laws, in the day-to-day performance of company business.
- Be sensitive to situations that could lead you or others to engage in illegal, improper, or unethical conduct.
- Take action against illegal, improper, or unethical behavior. If you encounter such behavior, advise your supervisor or manager, or call the Ethics Helpline.

### **Supervisors**

- Maintain a work environment that encourages open communication regarding legal or ethical problems and concerns.
- Make a personal commitment that your group will operate in accordance with the highest standards of ethical business conduct. Communicate this commitment to your employees.
- Periodically discuss ethical issues and review Bechtel Jacobs Company's Standards of Conduct and Business Ethics with your employees.
- Ensure that all Bechtel Jacobs Company employees take the web-based training program on government and business conduct issues.
- Be familiar with the resources available to resolve ethical questions and concerns.
- Communicate any reports of illegal or unethical conduct to the Ethics Helpline.

### **Managers**

- Be knowledgeable about the laws, regulations and industry practices applicable to your activities.
- Implement Bechtel Jacobs Company's Standards of Conduct and Business Ethics and create a work environment and culture that promotes a high standard of legal compliance and ethical conduct.
- Provide all Bechtel Jacobs Company employees with clear guidelines on matters of everyday business conduct and education relative to their individual job responsibilities.
- Communicate clearly that Bechtel Jacobs Company will neither tolerate nor condone illegal, improper or unethical behavior; demonstrate this standard of conduct by personal example.
- Ensure that established disciplinary policies are administered fairly.
- Provide information to employees concerning resources which may help them in addressing ethical concerns or dilemmas.

- Create an open atmosphere in which legal or ethical concerns may be brought forward by employees and resolved without fear of retribution; protect the confidentiality of employee reports, to the greatest extent practical, and advise the employees of the outcome of such reports.

## **GUIDELINES FOR SPECIFIC SITUATIONS**

When unsure as to whether a course of action complies with the Bechtel Jacobs Company Standards of Conduct and Business Ethics, ask yourself the following questions:

- Is the action legal?
- Is it ethical?
- Is there a company policy which prohibits or appears to prohibit the activity?
- Is the action consistent with our customer's expectations?
- Might the action appear inappropriate?
- If it became known, might it result in embarrassment either within the company or outside the company?

Any concerns raised by these questions must first be resolved before carrying out the course of action.

Bechtel Jacobs Company deals with a number of organizations in the course of its daily operations. It is Bechtel Jacobs Company's policy to deal only with those who have ethical standards compatible with its own. Employees have the obligation to inform the company of any incidents or potential situations concerning unlawful or unethical conduct, conflict of interest, unsafe conditions, or lack of proper security for information or property. This obligation applies when dealing with employees, including employees of subcontractors and companies with which Bechtel Jacobs Company has a joint association, and when dealing with others outside the company. When doing business with any organization, you should observe the following general standards.

### **Treat Everyone Equitably**

Everyone you do business with is entitled to fair treatment. This is true no matter what you are doing for Bechtel Jacobs Company.

Whether or not you directly influence business transactions, it is important to avoid doing anything which might create the appearance that subcontractors, suppliers, or anyone else has "a friend at Bechtel Jacobs Company" who exerts special influence on their behalf.

### **No Misrepresentation**

Do not misrepresent yourself or the company to anyone. If you believe that the other person may have misunderstood you, try to clarify the situation immediately. Honesty is an integral part of ethical behavior, and trustworthiness is essential for good, lasting relationships.

## **CONFLICTS OF INTEREST**

A conflict of interest exists if you have any interest or activities outside Bechtel Jacobs Company that you could advance at the expense of the company's interests. A conflict of interest can arise because of circumstances alone, without any deliberate action on your part. Each situation is different and, in evaluating yours, you will need to consider many factors, including how substantial and how realistic the risk is to Bechtel Jacobs Company's or DOE's interests.

The most common types of conflicts and their implications are explored here to help you make informed decisions.

### **Use of Bechtel Jacobs Company And Government Assets**

Bechtel Jacobs Company and government-furnished supplies and equipment, including office supplies and equipment, information systems, computer equipment, software, networks, and databases, are provided For Official Business Only in support of an individual's assigned work duties, and are not for personal use. Bechtel Jacobs Company facilities, equipment, and supplies must be used only for Bechtel Jacobs Company business or associated purposes specifically authorized by management. Unauthorized use is considered a misappropriation of Bechtel Jacobs Company assets and constitutes a misuse of government property.

As we increasingly use the power of electronic mail and the Internet to perform our work, it is critical that all employees clearly understand that inappropriate use of these tools will not be tolerated. These tools are routinely monitored. Unauthorized uses of Bechtel Jacobs Company systems, networks, and Internet connections, including but not limited to the following, cannot be tolerated and will be subject to appropriate discipline:

- Do not access, view, transmit, download, store, or print any pornographic and/or sexually explicit material or web sites at any time, either during or after office hours. The same applies to other inappropriate material or web sites such as those related to gambling, hate speech, criminal activities, or illegal drugs.
- Do not play computer games or "surf" the net for non-business-related purposes.
- Do not pursue any personal purpose, including chat room exchanges, placement of unauthorized information onto Bechtel Jacobs Company web pages, exchanging jokes, and other non-work related activities.
- Do not make any use for personal advertisement or gain; on behalf of outside business ventures; to leak confidential or privileged information; or for personal, political, or religious causes.
- Do not send or forward chain letters.

Accessing the Internet for non-business reasons during scheduled work hours may be viewed in the same way as being absent from work without permission. There is no excuse for taking unauthorized time away from your assigned tasks to access the Internet for personal use. And, to an even greater extent, sexually oriented or other offensive material has absolutely no place in our work environment. We are committed to maintaining an environment in Bechtel Jacobs Company and on every Bechtel Jacobs Company project that is free of material that can be found offensive and/or harassing to anyone.

In support of this effort, our Information Technology Department (IT) will conduct without forewarning random audits of computer drives throughout Bechtel Jacobs Company. Electronic mail communications are not private, and confidentiality cannot be ensured. Bechtel Jacobs Company routinely monitors e-mail messages and discloses them to others. Users should be aware that e-mail messages may be discoverable by opposing parties

and government agencies during litigation, and even though the sender and recipient(s) may have deleted their copies of an electronic record, backup copies may be retrievable after deletion.

No employees will be excluded from audits of the company's computer systems, which may be conducted outside of normal working hours. If inappropriate material is discovered and its use is linked to you, it will serve as grounds for severe disciplinary action, up to and including termination of employment. The auditing software will identify the names of those individuals who access inappropriate Internet sites, the names and Internet addresses of these sites, the dates and times of the access, and for how long the connections with the site were maintained.

If you have any questions about these policies, please discuss them with your supervisor and/or your designated Human Resources representative. We want everyone to understand fully that there will be no tolerance of violations of the above-stated policies.

### **Supplying Bechtel Jacobs Company**

As a Bechtel Jacobs Company employee, you cannot accept money or benefits from any supplier or potential supplier for advice or services that relate to the supplier's business. Nor may you represent a supplier to Bechtel Jacobs Company, be a part of its operating management, or work on anything offered by that supplier to Bechtel Jacobs Company. Although there may be exceptions under special programs established by the company, you may not, as a general rule, be a supplier to Bechtel Jacobs Company or work for a potential supplier while employed by Bechtel Jacobs Company. In all cases, seek advance approval.

### **Competing with Bechtel Jacobs Company**

You may not conduct or solicit personal commercial business on Bechtel Jacobs Company premises or on Bechtel Jacobs Company time. Bechtel Jacobs Company or government materials, resources, and proprietary information are not to be used for any personal business.

You may not perform services in competition with Bechtel Jacobs Company. Nor may you, without Bechtel Jacobs Company's consent, work as an employee, consultant, or member of a board of directors for a company competing with Bechtel Jacobs Company. Such work would create at least the appearance of a divided loyalty.

You may not directly or indirectly own, trade, or deal in real estate, materials, supplies, equipment, or other property, with the intent of selling or renting to Bechtel Jacobs Company, its suppliers or subcontractors.

You may also have a conflict of interest if your outside activities (which themselves may not amount to conflicts of interest) are so demanding on your time that they interfere with your job performance.

### **Antitrust Laws**

Bechtel Jacobs Company's business activities are subject to antitrust and competition laws. In general, antitrust laws prohibit agreements or actions that may restrain trade or reduce competition. Violations include agreements among competitors to fix or control prices or rig bids; to boycott specified suppliers or customers; to allocate products, territories, or markets; or to limit the production or sale of products or services. In some instances, where goods are sold, antitrust laws may prohibit price discrimination.

Antitrust laws apply to both formal and informal communications. If you are involved in trade association activities or in other situations allowing for informal communication among competitors, customers, or suppliers, be especially alert to the requirements of the law in that jurisdiction. In such situations, do not have discussions

regarding prices, pricing policy, terms and conditions, marketing plans, and similar matters of competitive interest.

Antitrust law violations expose both the affected company and participating employees to criminal prosecution, including fines and imprisonment, and to the payment of treble damages.

### **You and Public Service**

Many Bechtel Jacobs Company employees participate actively in civic life. The company commends and encourages public participation. In that role, however, you may at times find yourself in a difficult or awkward situation. For example, you may be a member of a board or committee confronted with a decision involving Bechtel Jacobs Company. It could be a decision for an engineering study, for instance, or a decision by a board of tax assessors or by a zoning board that affects Bechtel Jacobs Company. In these circumstances, your interest in Bechtel Jacobs Company on the one hand and your obligation to the civic organization on the other may pull you in opposite directions. In such cases, Bechtel Jacobs Company policy requires you to abstain and to notify your supervisor or manager of your abstention.

When you abstain, you should make it clear that you are a Bechtel Jacobs Company employee and that you are doing so to avoid a conflict of interest — or the appearance of one. By doing this, you will show you are not attempting to conceal your association with Bechtel Jacobs Company.

When you do speak out on public issues, make sure that you do so as an individual. Do not give the appearance that you are speaking or acting on Bechtel Jacobs Company's behalf.

### **Your Participation in Outside Organizations**

You are encouraged to participate in philanthropic, professional, national, regional, or community organizations provided there is no implied Bechtel Jacobs Company endorsement or sponsorship. Serving as a trustee, regent, director, or officer of such organizations or educational institutions, when it would involve significant time, financial contributions, or the perception of Bechtel Jacobs Company endorsement, must be authorized on a selected basis.

## **Your Personal Financial Interests**

You should not have a financial interest in an actual or potential subcontractor, supplier, competitor, or any other organization that could cause a conflict of interest. If you are considering personal investments in such organizations, ask yourself these questions:

- What is the nature and extent of the relationship between Bechtel Jacobs Company and the other company? If the other company is in more than one line of business, how significant is the part that competes with or supplies Bechtel Jacobs Company?
- What is the amount of my investment, and how does it compare with my salary and other family income, including that from other investments? Could it cause me to take some action as a Bechtel Jacobs Company employee to protect or enhance my investment?
- Given my Bechtel Jacobs Company job, to what extent could my actions as a Bechtel Jacobs Company employee affect the value of my investment in the other company? Could my actions enhance or appear to enhance my investment, even by a relatively modest amount?

A financial interest would be improper if the answers to any combination of these questions indicate that your actions as a Bechtel Jacobs Company employee could be influenced by that interest.

In the case of a subcontractor or supplier, ask yourself whether you have anything to do, directly or indirectly, with Bechtel Jacobs Company's business decisions regarding this company. If you have, you should not have any financial interest at all in the other company.

You may not evade these guidelines on investments by acting through someone else, including immediate family.

## **GOVERNMENT, BUSINESS AND PERSONAL INFORMATION**

### **Proprietary Information**

Proprietary information, also referred to as business confidential information, is kept confidential unless authorized to be released. Proprietary information includes the business, financial, marketing, and operating plans associated with Bechtel Jacobs Company and its subcontractors. It includes designs, engineering and construction know-how, Bechtel Jacobs Company business and project plans with outside suppliers and subcontractors, and a variety of internal information. An example of proprietary information that is received frequently by Bechtel Jacobs Company is supplier commercial bids. Such information might also include correspondence between Bechtel Jacobs Company and related companies, records related to procurement activities, and legal records, including legal opinions, litigation files, and documents covered by the attorney-client and attorney work product privileges.

You must not use or disclose proprietary information except as authorized by Bechtel Jacobs Company. You must make sure that proprietary information for which you are responsible is not disclosed to others. Protection of this information is vital to our continued ability to do business.

Proprietary information that you receive in the course of your job should be used only for the purpose for which it was intended and should only be shared with other employees solely on a "need-to-know" basis. Do not misappropriate or misuse someone else's proprietary information.

To avoid being perceived or accused of misappropriating or misusing someone else's proprietary information,

there are certain steps you should take. First, determine whether the information actually is proprietary. If you are not sure; for example, if the information is not marked proprietary or business confidential, but you have some reason to believe that it may be, ask the other party. Second, do not accept proprietary information unrelated to your job. If someone tries to pass along proprietary information that you are not authorized to receive, or if there is reason to believe its release is unauthorized, notify your supervisor.

### **Employee Confidential Information**

Every employee has a fundamental, but not absolute, right to privacy that requires employers to protect the confidentiality of identifiable personal medical and health information and certain employment information. This includes personnel data and salary information. However, often such information must be reported and/or reviewed by others at Bechtel Jacobs Company in compliance with a law or regulation or in the normal course of job-related duties necessary to fulfill Bechtel Jacobs Company's contract with DOE.

Pursuant to our contract with DOE, personnel records of any former contractor employees (BJC, LMES, LMER, USEC, Union Carbide, etc.), personnel medical records, and personnel radiation exposure records are protected from disclosure by the Privacy Act, unless the disclosure is authorized in writing by the individual to whom the record pertains. The Privacy Act provides several specific exceptions to the rule of nondisclosure, such as allowing disclosure of records to certain government contractors, agencies or employees who have a need for the information contained therein to perform their work-related duties. Only Bechtel Jacobs Company employees who have a "need to know" confidential employee information in order to perform their job have any right to view or be told the contents of files containing employee confidential information. Although some employee records are not specifically covered by the Privacy Act, such files should only be viewed by employees who have a need to know information contained therein. Such records might include personnel files of current Bechtel Jacobs Company employees, workers' compensations files, employee relations records, records on salary and employee benefits, drug testing records, records on ethics, employee concerns, and other employee-related investigations conducted under an expectation of confidentiality, and employee assistance program records. Personnel who have access to records containing such confidential employee information should use caution in protecting the confidentiality of these files.

Employee medical records, including records of work-related injuries are confidential and must not be disclosed, unless (1) the injured employee consents in writing to such disclosure; (2) to the extent necessary for Bechtel Jacobs Company to comply with reporting obligations or as may be needed for Bechtel Jacobs Company employees to perform their job as it relates to managing work-related injuries; and/or (3) in compliance with a subpoena or a court order.

In general, Bechtel Jacobs Company must not disclose to a transitioning employee's new employer anything personal or confidential about the employee, including work restrictions that may have been applicable, unless the employee specifically requests in writing that such information be provided to the new employer. The only exception to this would be in cases where Bechtel Jacobs Company is actively managing a workers' compensation case which involves work restrictions placed on the employee as part of that case management. In such circumstances, Bechtel Jacobs Company's Risk Manager will continue to handle the case management and will handle the transfer of appropriately limited information to the new employer.

### **General Precautions Related to Government and Business Information**

Do not provide answers on behalf of Bechtel Jacobs Company to inquiries from outside the company unless you are so authorized. Instead, refer the questions to an appropriate authorized person in Bechtel Jacobs Company, or if you are not sure, refer them to your supervisor or to Bechtel Jacobs Company's Legal Department.

If you possess non-public or inside information about firms with which the company is involved or competing, you may not trade in securities of these firms or disclose this information to persons outside the company until the information has been effectively disclosed to the public. The use of inside information for your own financial benefit can be more than an ethical concern; it may be a criminal violation. For example:

- If you invest in a subcontractor, supplier, or any other firm doing business with Bechtel Jacobs Company, you must not buy or sell its stock based on any inside information you have obtained about that company through Bechtel Jacobs Company.
- If you learn that Bechtel Jacobs Company is about to award a major contract to a certain equipment supplier, you should not suggest to a relative or friend that he/she purchase stock in that supplier.
- If you have nonpublic information that a firm is about to build a new facility, you should not invest in land or a business near the new site.

You may not evade your responsibilities regarding proprietary information by acting through anyone else, such as family or friends.

Even if you retire or leave the company, you may not disclose or misuse proprietary information. Bechtel Jacobs Company owns the proprietary information you developed or were exposed to as an employee, even after your departure, including any transition to a subcontractor. Should a Bechtel Jacobs Company employee leave to work for one of our competitors, that employee is prohibited from divulging business confidential or proprietary information about Bechtel Jacobs Company. Conversely, employees who previously worked for Bechtel Jacobs Company's competitors are expected to maintain the confidentiality of information they had knowledge of while employed by that company. It is never acceptable to coerce an employee to divulge proprietary information about their previous employer.

## **Government Classified Information**

Only individuals who have an appropriate security clearance and need-to-know may have access to classified information. These individuals are responsible for protecting and controlling all classified material in their possession. Any questions regarding classified information control should be referred to the Bechtel Jacobs Company Manager of Security. If a non-cleared individual comes into possession of classified material, he/she should contact the Manager of Security for instructions. In addition, individuals should not solicit or obtain government classified information except through proper and established means.

## **Copyrighted Software and Written Material**

It is Bechtel Jacobs Company policy to fully comply with provisions of applicable law and licensing agreements pertaining to copyrighted materials, including written material, photographs, and software. Unauthorized reproduction or transmission of written material or software is illegal, harmful to Bechtel Jacobs Company's interest, and against Bechtel Jacobs Company policy.

“Written material” means newspapers, trade journals, magazines, educational and training materials, books, technical and scientific journals, and other printed matter, whether textual or graphic or in printed or electronic form. Making multiple copies normally requires permission of the copyright holder; a single copy also may require permission, especially if copying is systematic or part of a pattern.

Bechtel Jacobs Company will license necessary software and furnish it to employees for use on company hardware. Bechtel Jacobs Company prohibits copying of software it has acquired unless the applicable license permits such copying (e.g., for backup or archival purposes). You are responsible for strict compliance with this policy and must

- Use software only in accordance with the license agreement and only for the software's intended use;
- Refrain from duplicating software acquired for use on a specified computer and refrain from using it on other computers in violation of any license agreement; and
- Refrain from copying any computer software materials, regardless of the medium (electronic or printed manuals, etc.) except as necessary for backup or archiving, and then only as the license agreement allows.

Unauthorized copying or use of the simplest computer diskette can expose you and Bechtel Jacobs Company to serious legal problems – including criminal liabilities. Software manufacturers and industry associations take these matters very seriously and enforce their rights in court. Therefore, it is best to familiarize yourself with the software you use, seek advice if you need it, and avoid improper use of computer software. Plans to establish purchase agreements or sell software on Bechtel Jacobs Company's behalf should be reviewed with the Internal Audit or Legal Departments.

## **Recording and Reporting Information**

Every employee records information of some kind and reports it to the company. Typical examples are information regarding educational qualifications and work history provided on employment applications, engineering test reports, controller recording of revenues and expenses, material and equipment test reports, technical data sheets, environmental investigation reports, occurrence reports, and other documentation related to site conditions or contract performance. Accuracy in these reports is essential.

You should consistently make sure that all your records and reports are accurate. Inaccurate or dishonest reporting, both inside and outside the company, is strictly prohibited and could expose both the company and employees involved to civil and criminal liability and prosecution. This includes reporting or organizing information in a way that is intended to mislead or misinform those who receive it. Employees must never sign a report or company document on behalf of another person unless authorized to do so.

Expense reports are another important record. Employees are entitled to reimbursement for reasonable expenses only if they are actually incurred or in accordance with per diem rates authorized by the federal travel regulations. For example, to submit an expense report for meals not authorized, miles not driven, or airline tickets not used is dishonest reporting. Business expenses incurred in performing company business must be documented promptly and accurately. In addition, you are responsible for complying with any special or more stringent reporting requirements as may be imposed by a special situation. Recent changes in the law have imposed strict limitations on government contractors with respect to what can and cannot be reimbursed. You are strongly advised to review with your supervisor the guidelines and limitations prior to incurring any business expenses. It is also a good idea to review the rules for charges and reports before you travel.

## **Time Records**

The United States Government has special disclosure and record-keeping requirements. Information you prepare, including your time records and expense reports, may be provided directly to the government, or may form the basis for a representation or claim made by Bechtel Jacobs Company to the government. If you knowingly provide false information, criminal penalties may be imposed on you and Bechtel Jacobs Company.

It is essential that all Bechtel Jacobs Company employees accurately charge their labor costs to the proper account. No one is authorized to permit or require you to deviate from this requirement. Your daily time record entry is a "claim" and a "statement" that Bechtel Jacobs Company relies on in reports to the government; every error has the potential of being a criminal and civil false claim and statement. Every claim for payment carries a legal and ethical responsibility for accuracy. You have been provided with detailed guidelines on time charging and are expected to understand them and to adhere to them strictly. Time records are to be completed daily by each employee. Your supervisor or PALS Coordinator is available to answer any questions you may have.

The Bechtel Jacobs Company Internal Audit group periodically conducts audits of various aspects of our compliance with government regulations. External auditors, such as the Defense Contract Audit Agency (DCAA), DOE IG, GAO, and auditing firms, also may audit various activities from time to time.

## **Accounting Standards and Documentation**

Bechtel Jacobs Company is responsible for maintaining accurate and auditable records of all financial transactions within the accounting system. Funds and accounts must be maintained in conformity with generally accepted accounting principles such that information is readily available to auditors.

Receipts and disbursements must be fully and accurately described in the books and records. No false entries in the books or records may be made nor any false or misleading reports issued. Payments may be made only to the contracting party or a valid assignee, and only for the actual services rendered or products received.

## **PROCUREMENT AND SUBCONTRACTING**

The Bechtel Jacobs Company Procurement Office establishes guidance to which all Bechtel Jacobs Company employees must conform when dealing with suppliers, subcontractors, and third parties with regard to procurement matters. This guidance, which addresses such questions as professional conduct, confidentiality, qualification of offerors, and negotiations, is summarized below.

### **Working With Suppliers, Subcontractors, and Third Parties**

You are expected to treat all suppliers and subcontractors fairly and equally. For example, subcontract or purchase order specifications should be developed that reflect intended use or performance and should not be biased in favor of a particular supplier's product. All aspects of the proposal evaluation process are considered confidential. All potential offerors are to be selected on the basis of their financial and performance capabilities, their ability to meet technical and commercial requirements, and the suitability of their services or products. Once qualified, all bidders selected for a specific procurement are to be considered suitable for subsequent award. You are not permitted to obtain "check bids," i.e., bids that are used merely to verify the competitive stand of a favored or sole-source supplier or subcontractor.

You may not represent a supplier or subcontractor to Bechtel Jacobs Company, be part of that supplier's/subcontractor's organization, or work on anything offered by that organization to Bechtel Jacobs Company.

### **Negotiations**

Employees involved in negotiation of subcontracts or purchase orders should make reasonable efforts to ensure that all statements, communications, and representations made to subcontractor representatives are accurate and current.

While negotiating with the government in regard to government contracts, all employees must comply with the provisions of the Truth in Negotiations Act (TINA) and must make available all cost and pricing data in his/her possession at the time of negotiation, or to which he/she may be reasonably expected to have access. Failure to furnish such information as required can result in liabilities on the part of both the company and the individual responsible.

## **Subcontract Performance and Administration**

Once a subcontract has been negotiated, it is imperative that employees exercising management and control over the subcontracted work know and understand the detailed requirements for the performance of the work as delineated in the subcontract and related plans and specifications. Care should be taken that there are no material substitutions or deviations from specifications and that the final product meets contractual requirements. Improprieties, such as the failure to conduct required testing, manipulation of test procedures, or unauthorized material or product substitution, are considered violations of our standards and may also lead to criminal prosecution. Personnel having management responsibility for the subcontracted work are directed to ensure that all required reports and documentation are timely prepared, issued, documented, and filed.

## **Payment Requests and Invoices**

In government contracts and subcontracts, it is especially important to understand and adhere to regulations concerning requests for payment. It is specifically prohibited for any employee to submit, or to concur in the submission of, any claims, bids, proposals, billings, or other documents of any kind that are false, fictitious, or fraudulent. Requests for progress payments and provisional payments are documents expressly covered by this prohibition. All employees involved in the process of submitting these documents must familiarize themselves with the regulations governing their submission. Failure to properly adhere to the regulations can result in criminal prosecution of both the company and the employees involved.

## **Gifts and Gratuities**

When Bechtel Jacobs Company subcontracts for goods and services, it is essential that each employee involved in the process in any way avoid any appearance of favoritism in the allocation of company business. Business courtesies, invitations, or gifts from potential or actual suppliers or subcontractors that could be perceived to affect an employee's impartiality, shall be rejected and disclosed to Internal Audit.

A business courtesy is a gift or favor for which fair market value is not paid by the recipient. It might be a tangible or intangible benefit and includes but is not limited to all forms of hospitality, recreation, transportation, discounts, tickets, passes, promotional material, and the recipient's use of the donor's time, material, or equipment. Gifts between employees of different companies range from advertising novelties or similar items having no commercial value, which you may give or receive, to bribes, which unquestionably you may not give or receive. Gifts of money may never be given or received. The purpose of gifts and entertainment is to create goodwill. If they do more than that, and unduly influence the recipient, make that person feel obligated to "pay back" the gift by giving the other company business or information, or create the appearance of impropriety, then the gifts are unacceptable. In this latter circumstance, in which a gift causes "pay back" obligations, the gift may be, or be perceived as being, a bribe. Our policy in this circumstance is never to give or receive such gifts.

Ordinarily, you are permitted to accept customary amenities, such as meals, as long as expenses are reasonable and associated with a business purpose. Although Bechtel Jacobs Company normally expects its employees to use commercial carriers and facilities, it is sometimes necessary to accept, with appropriate prior approval, transportation, food, and lodging from customers or suppliers. Apart from this exception, Bechtel Jacobs Company will pay for your expenses if the occasion warrants your attendance and is required for business purposes.

Do not solicit, accept, or attempt to accept any favors or gratuities that may be perceived as kickbacks or bribes from anyone Bechtel Jacobs Company does business with or from any Bechtel Jacobs Company competitor.

Do not make a payment, or attempt or offer to make a payment, either directly or indirectly or as a bribe or kickback, to influence others. Payment for, or receipt of, anything of value as an inducement for the award of a subcontract or purchase order, or any favorable treatment in connection with a prime contract, or subcontract relative to a prime contract, is a crime punishable by a substantial fine and imprisonment under United States law.

## **GOVERNMENT PERSONNEL AND FORMER GOVERNMENT PERSONNEL**

Certain activities by former U.S. Government employees (including consultants) are prohibited by law, and individual employees, as well as the company for which they work, have been assessed penalties for engaging in these prohibited activities. These activities are set forth in numerous separate provisions of law, and most require detailed interpretations that may not be obvious or clear. If you are a former U.S. Government employee, you should discuss your status and restrictions with the Bechtel Jacobs Company Legal Department.

### **Gifts and Gratuities**

The government has particularly restrictive and complex rules regarding the acceptance of meals, entertainment, gifts, or other business courtesies by their personnel and officials. For example, one such rule prohibits government personnel from accepting, and you from offering, any items having monetary value over \$10.00. This includes meals, transportation, lodging, services, conference fees, vendor promotional training, as well as discounts not available to the general public. Thus, you are prohibited from offering any of these gratuities to government personnel without the advance approval of Bechtel Jacobs Company Legal Counsel. Such a gesture, intended to promote goodwill, may have the opposite effect by making the government employee uncomfortable about having to turn down (and possibly report) the offer. Any meeting or event with government personnel which includes a meal such as lunch or dinner should include the opportunity for the government personnel to contribute the cost of their meal.

### **Employment Offers and Discussions**

There are complex rules governing the circumstances when a government employee may discuss potential future employment with a government contractor such as Bechtel Jacobs Company. Prior clearance from Bechtel Jacobs Company Legal Counsel must be obtained before engaging in such discussions.

## **OTHER REQUIREMENTS**

Bechtel Jacobs Company strives to provide all employees with a healthy, safe, and supportive work environment—one that is free from intimidation, unlawful discrimination and harassment of any kind, including sexual harassment and retaliation. Any behavior that is not conducive to a professional work environment, such as harassment, violent acts, threat of violence, or possession of weapons is strictly forbidden.

### **Environmental, Safety and Health Requirements**

All Bechtel Jacobs Company employees are responsible for maintaining a safe and healthful work environment. Strict adherence to Bechtel Jacobs Company safe practices and guidelines is to the benefit of all. You are required to report to your supervisor or medical if you are taking any prescription or over the counter drugs that may

impair your ability to safely perform your work assignments.

Employees have a duty to report any safety or health concerns, including risks or damage to the environment, to their supervisor, manager, or site safety personnel immediately. The successful implementation of the Bechtel Jacobs Company Integrated Safety Management System requires that each and every employee be involved in the identification of potential hazards to their supervisors. Additionally, there are legal and contractual requirements that require that certain situations or incidents be reported within very short time frames. Bechtel Jacobs Company policy strictly forbids retaliation or reprisals against an employee for reporting a safety concern.

## **Security**

You are responsible for adhering to all security procedures and for protecting company and customer property entrusted to you. Your attention to security and to situations that could lead to the loss, misuse, or theft of company or customer property is the best way to help ensure a secure workplace and protection of the company's assets. Be sure to promptly report any unusual or suspicious situation to your supervisor, manager, or security personnel.

## **Nuclear Safety**

Bechtel Jacobs Company is committed to meeting all nuclear safety and safety-related quality standards. Every Bechtel Jacobs Company employee is responsible for ensuring that Bechtel Jacobs Company's work adheres to all applicable nuclear safety standards. You are expected and encouraged to identify and report nuclear safety concerns.

Bechtel Jacobs Company is committed to maintaining an open working environment in which all employees are free to identify and raise nuclear safety concerns with their supervisors, Bechtel Jacobs Company Quality Assurance personnel, anyone in Bechtel Jacobs Company project management, union representatives, and government agencies, including DOE, without fear of harassment, retaliation, or intimidation.

## **Environmental Laws**

Bechtel Jacobs Company is committed to environmental excellence. Achieving excellence demands that we have knowledge of and comply with applicable environmental laws.

Environmental laws apply to virtually every aspect of Bechtel Jacobs Company's operations. Under the Bechtel Jacobs Company Contract with the Department of Energy, compliance with environmental laws regarding the handling and disposal of hazardous wastes and the operation of facilities subject to permits under the Clean Water Act, the Clean Air Act, the Resource Conservation and Recovery Act, or their state counterparts, and activities to remediate past environmental damages constitute the core activities of Bechtel Jacobs Company. The environmental laws, regulations and permits that govern these activities impose many specific requirements. For example, incidents involving the release of reportable quantities of hazardous or toxic substances must be promptly reported to regulatory authorities.

Environmental laws are aggressively enforced. Employees who engage in conduct contrary to these laws may face serious personal consequences, including criminal prosecution, and may subject Bechtel Jacobs Company to fines and other penalties. It is important to note that prosecutions are not solely limited to willful violations. Under certain circumstances, supervisory personnel may be held individually liable for the conduct of those under their direction and control, regardless of whether they personally participated in an act of noncompliance.

The Environmental Compliance Group and the Legal Department are available to assist you in understanding and

complying with environmental requirements related to your work.

## **EEO Laws**

Bechtel Jacobs Company is committed to a work environment that is free from unlawful discrimination, harassment and retaliation and to diversity in its workforce. The company strives to ensure that its employees are respected and valued for their individual uniqueness, experience, and skills. By respecting and valuing differences, we will enhance teamwork and thereby build a competitive advantage.

Federal Equal Employment Opportunity (EEO) laws prohibit discrimination on the basis of race, color, religion, sex, age, pregnancy, national origin, physical or mental disability, citizenship, and special disabled veteran or Vietnam-era veteran status. Various state and local EEO laws also prohibit other forms of discrimination, such as on the basis of marital status, sexual orientation, or HIV status. It is the responsibility of all employees to abide by these laws, everyday, without exception, in dealing with employees, customers, subcontractor employees, companies with which BJC has a joint association, and others outside of the company.

In keeping with its EEO commitment, Bechtel Jacobs Company will not tolerate discrimination toward – or harassment of—applicants or employees by anyone, including managers, supervisors, coworkers, other employees, suppliers, business partners, contractors, and customers. These policies govern your employment regardless of workplace location, which may include a customer’s premises or an off-site business meeting. They also govern conduct at all company-sponsored activities. As a Bechtel Jacobs Company employee, you must familiarize yourself with EEO policies, abide by them, and immediately report any conduct that you believe is inconsistent with them.

## **Alcohol and Substance Abuse**

Company policy and our government contract prohibit the illegal use, sale, purchase, transfer, manufacture, possession, or presence in one’s system of controlled substances, other than medically prescribed drugs, while on company premises or job sites. Similarly, the use, sale, purchase, transfer, or manufacture of alcoholic beverages by employees while on company premises is prohibited. Violations of the Company’s drug and alcohol policy are strictly forbidden, and violators will be disciplined.

## **Searches at Work**

Bechtel Jacobs company strives to maintain a balance between business needs and personal rights, including employee safety and employee privacy. Expectations of privacy at the workplace are different from those at home or elsewhere. Bechtel Jacobs Company therefore reserves the right, for security or other business reasons, to conduct searches of any company premises or any property on Bechtel Jacobs Company premises, including computer hard drives and networks.

## **COMPLIANCE WITH ETHICS PROGRAM AND LEGAL REQUIREMENTS**

As a Bechtel Jacobs Company employee, you are responsible for conducting yourself in an honest and ethical manner and for complying with all applicable laws and regulations. Supervisors and managers must be cautious in word and conduct to avoid placing, or seeming to place, pressure on subordinates that might lead them to deviate from acceptable norms of conduct.

## **Reporting**

You are responsible for promptly reporting possible violations of any requirement of the Bechtel Jacobs Company Standards of Conduct and Business Ethics Program to your supervisor. If you do not feel comfortable directing your concerns to your supervisor or you do not feel satisfied with the answer you received, you may go directly to a member of the Bechtel Jacobs Company Legal Department, or contact the Employee Concerns manager, or the Ethics Helpline.

In addition, supervisors are responsible for reporting possible violations to either Internal Audit, the Bechtel Jacobs Company Ethics Committee, or to Legal Counsel. Internal Audit and the Ethics Committee, with support from Legal Counsel, will then initiate investigations of reported suspected violations. Questions about Bechtel Jacobs Company policy should normally be addressed to your supervisor, who will relay them to Internal Audit or our Ethics Committee or Legal Counsel if necessary. Supervisors should direct questions regarding interpretation of law to the Bechtel Jacobs Company Legal Counsel.

Be assured employee reports will be handled in confidence to the greatest extent possible. No employee will be subject to retaliation because of a report made to a supervisor, employee concerns, the Ethics Helpline, Legal Counsel, or to DOE. If the reporting employee is directly involved in the violation, the fact that he/she reported the violation will be given consideration in any resultant employment action.

**Where to Go.** If you have a question about corporate policy or if you wish to report a possible violation of the Bechtel Jacobs Company Standards of Conduct and Business Ethics Program, contact Employee Concerns (865-241-0931 or 1-888-584-8329), the Ethics Helpline (865-241-0933 or 1-888-584-8328), or the Bechtel Jacobs Company Legal Department. If you have a specific legal question, contact the Bechtel Jacobs Company Legal Department.

### **Violations and Disciplinary Actions**

Violations of the Bechtel Jacobs Company Standards of Conduct and Business Ethics Program may be grounds for discharge or other disciplinary action, including immediate suspension or termination, adapted as needed to the circumstances of the particular violation.

Disciplinary action may be taken, not only against individuals who authorize or participate directly in a violation of the Bechtel Jacobs Company Standards of Conduct and Business Ethics Program, but also against:

- Any employee who may have deliberately failed to report a violation, as required by the standards.
- Any employee who is untruthful or who may have deliberately withheld relevant and material information concerning a violation.
- The violator's managerial superiors, to the extent that the circumstances of the violation reflect inadequate supervision or lack of diligence.
- Any employee who attempts to retaliate or encourages others to retaliate, directly or indirectly, against an employee who reports a suspected violation.
- Any employee who attempts to harm or slander another employee or Bechtel Jacobs Company through false accusation

### **Education and Training**

Education and training programs are available to ensure employees are familiar with these standards of conduct

and how to consistently perform our government business in an ethical and compliant manner, and to keep employees updated as new regulations are enacted.

The Bechtel Jacobs Company Human Resources Department coordinates education and training programs. Training materials that you should have and be familiar with include:

- The Bechtel Jacobs Company Standards of Conduct and Business Ethics
- Bechtel Jacobs Policy 301 – Section 4.0 Conflicts of Interest and Business Ethics

Copies of all of these materials are available from the Human Resources Department and/or on the web page.

Procurement procedures are available either on the web page or from a member of the Procurement Group.

Specific training will be provided periodically. Employees will be notified of the availability and scheduling of such training. If you have any questions, suggestions, or comments, please contact a member of the Bechtel Jacobs Company Human Resources Department.

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