

## BP AMERICA OMBUDSMAN PROGRAM DEFINITIONS

**Adverse Action** – Actions that negatively impact an employee (or group of employee's) or conditions of employment (i.e., refuse employment, termination, demotion, pay decrease, discipline, changes in assignment).

**Chilling Effect** - A rule, practice, or conduct which has the effect of seriously discouraging the exercise of right, such as the right to speak out about a safety concern.

**Concern** - An assertion by an individual that a problem exists with some aspect of the design, operation, safety, maintenance, management, and/or construction of BP facilities, and/or the programs, procedures and processes that support their safe and reliable operation. A concern is also an assertion that a problem exists relating to a HIRD.

**Concerned Individual** - Any BP or contract personnel who are currently employed or were previously employed, who raises a concern through their line management or the Ombudsman Program.

**Contractor Employee** – Any current or past employee of a contractor who has provided statements to BP entities or organizations.

**Discrimination** – Any adverse employment action (e.g., discharge, discipline, poor performance evaluation, failure to provide promotions or raises, exclusion from job opportunities, etc.) initiated against an individual for reasons other than job performance. This is including, but not limited to treating one person or class of persons differently than another, on the basis of sex, race, color, religion, national origin, age, disability or participation in protected activities.

**Duty-to-Act** – The Ombudsman Program's Duty-to-Act is a judgment decision made by the Ombudsman when information received indicates a potential Compliance, Industrial, Environmental, Transportation or Safety situation requiring understanding and resolution. The Ombudsman Program Duty-to-Act is also applied when information suggests a violation, or potential violation, of Pipeline Safety Improvement Act or violation of a Protected Class (Title VII) Statute or other violation of law.

**Employee(s)** – Any current or past employee of BP America who is or was employed by BP America.

**Good Faith** - Telling the truth as you know it. Or, the honest intent to act without taking an unfair advantage over another person or to fulfill a promise to act, even when some legal technicality is not fulfilled. The term is applied to all kinds of transactions.

### **Harassment, Intimidation, Retaliation and Discrimination (HIRD)**

**Hostile Work Environment** - A hostile work environment involves the atmosphere in which an employee must work, and how he or she is treated by supervisors and co-workers in the day-to-day interactions that comprise the fabric of the daily work environment – not necessarily discrete acts of discrimination.

**Intervention** – When a concern is resolved by an agreement between the CI and the responsible group or organization. The Ombudsman Program monitors the intervention. The intervention may take several weeks.

**Intimidation** - An action that has the objective or perceived objective of preventing or discouraging a person from engaging in legally protected activities.

**Rapid Resolution** – When a concern is resolved quickly with minimum involvement by the Ombudsman Program. These concerns are typically resolved in several days.

**Retaliation** - An action that has the effect of punishing a person for having engaged in any form of protected activities, including cooperating with the Program.

**Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sex based (gender) nature when such conduct has the purpose or effect of interfering with an individual's work performance, and/or creating a hostile, intimidating, or offensive work environment.