

# Family & Domestic Violence Policy (US)



myWellbeing



myWork



myGrowth



myMoney



myBenefits

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## 1. Introduction and Purpose

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The Company (as defined below) is committed to the safety of our employees and creating an environment where our employees feel safe and are confident in seeking support when needed. The purpose of this policy is to provide for the safety of employees within our workplace and to encourage those at risk of, or experiencing, family and/or domestic violence at home to seek support. For purposes of this policy, Family and Domestic Violence (FDV) is considered to be any abusive, violent, coercive, forceful, or threatening act inflicted upon an employee or member of an employee's immediate family or household by another individual within that household or family, or as otherwise provided by law. If the alleged abuser is not a cohabitant or family member of the employee seeking benefit under this policy, in accordance with applicable law, the Company may determine eligibility for benefits herein in its sole discretion. For purposes of this policy, an "abusive" act means: (1) to intentionally or recklessly cause or attempt to cause bodily injury, (2) sexual assault, (3) to place a person in reasonable apprehension of imminent serious bodily injury to that person or to another; or (4) stalking another person. An "abusive" act is not limited to the actual infliction of physical injury.

This policy outlines the Company's commitment to employees in relation to family and domestic violence support. The FDV leave entitlements in this policy are intended to assist employees who are experiencing a domestically abusive situation and are in need of taking critical or emergency action. . This policy is not intended to provide, supersede, or replace any medical or disability benefit.

## 2. Scope and Applicability

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This policy applies to U.S.-based employees within the Rio Tinto business, including but not limited to: Alcan Primary Products Company LLC, Kennecott Barney's Canyon Mining Company, Kennecott Exploration Company, Kennecott Molybdenum Company, Kennecott Uranium Company, Kennecott Utah Copper LLC, Resolution Copper Mining LLC, Rio Tinto Services Inc. and U.S. Borax Inc. (the "Company").

Under this policy, eligible employees responding to FDV may be entitled to paid leave not to exceed 10 (ten) days (80 hours) per calendar year, including for the following purposes related to, or resulting from, the FDV: obtaining legal assistance, court appearances, psychological or other counseling, victim services, medical attention, relocation, additional arrangements to ensure a safe home environment, or other necessary actions as reasonably dictated by the situation. Additional paid and unpaid leave and reasonable accommodations may be granted in accordance with applicable federal and state laws. Managers and Supervisors must coordinate all requests for FDV leave with HR, to ensure compliance with Company policy and applicable federal and state laws. If any part of this policy conflicts with federal, state, or local law, the Company will follow the applicable law.

The scope of this policy applies to:

- Permanent full-time and part-time employees;
- Employees engaged on fixed term contracts
- Casual and temporary employees.

### 3. Support

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#### 3.1 Assistance Provided

The Company is committed to creating an environment where our employees feel safe and are confident in seeking the necessary support. Such support may include:

- Assisting the employee to seek appropriate advice and services for implementing personal safety plans.
- Assisting with implementation of work related aspects of personal safety plan(s) (e.g., escorts to/from vehicle in the parking lot, changing telephone numbers, screening/blocking calls and emails).

The Company is committed to ensuring employee confidentiality and privacy. All employee records concerning FDV will be kept confidential to the extent possible and may be disclosed in circumstances where disclosure is reasonably necessary to prevent further risk, to maintain the safety of the employee and/or other staff, or is required by law. The employee will be given notice before any authorized disclosure.

#### 3.2 Leave Arrangements

The Company may provide up to 10 (ten) days (80 hours) paid leave per calendar year to an employee responding to FDV and that is in need of time off related to the FDV. This leave does not accrue from year to year, nor is it paid out upon separation of employment.

An employee who requests leave under this policy may, at the discretion of HR, be asked to produce reasonable supporting documents for such leave. The following documents will be considered reasonable support: (1) a police report indicating that an individual covered by this policy was a victim of FDV; (2) a protective order, injunction against harassment, or other court document demonstrating the employee's need, in accordance with this policy, to respond to FDV; (3) a signed statement from a domestic violence or sexual violence program or victim services organization affirming that an individual covered by this policy is receiving services related to FDV; (4) a signed statement from a witness advocate affirming that an individual covered by this policy is receiving services from a victim's services organization; (5) a signed statement from an attorney, clergy member, or medical or other professional affirming that an individual covered by this policy is a victim of FDV; or (6) or as otherwise provided by law.

Payment is made at the employee's base wage at straight time based on their normal work schedule, in accordance with the terms and conditions of employment, unless otherwise stated in this policy.

Permanent part-time and eligible casual and temporary employees are entitled to receive the 10 (ten) day (80 hours) benefit.

Total payments made to the employee must not exceed the total period of leave (e.g. if the employee only takes leave for 3 days they will only receive paid leave for 3 days).

If a paid holiday occurs while the employee is on paid leave, the paid holiday will not extend the total paid leave entitlement.

### **3.3 Financial Assistance and Emergency Accommodation**

The Company may provide financial assistance or emergency accommodation reimbursement of reasonable expenses up to 3 (three) nights (not to exceed \$1,000.00 USD total) to an employee who is experiencing FDV and is in need of urgent or immediate housing or financial assistance. Employee is responsible to provide relevant documentation for all reimbursement(s) sought under this policy. Additional emergency accommodation may be granted with Company approval.

### **3.4 Applying for Leave**

Employee is encouraged to provide notice to the Company to the extent possible. When the use of FDV leave is foreseeable, the employee shall make a good faith effort to provide to the Company as much advance notice as possible of the need for such time, and shall make a reasonable effort to use the FDV leave in a manner that does not unduly disrupt the operations of the company. Where possible, notice shall include:

- The intention to take leave; and
- The expected date and duration of leave.

The employee is responsible for submitting a leave request in a reasonable timeframe, under the circumstances, in order to ensure proper payment during the leave period.

Employees are encouraged to communicate with the Company regarding their date of return, or need for additional time away.

### **3.5 End of leave period**

The employee, upon exhaustion of FDV leave, is entitled to the position held immediately before commencing leave or a position comparable in status, conditions, and salary to that of their substantive position.

#### **Termination**

The Company may not retaliate against, or otherwise discipline (including termination), an employee because they used approved FDV leave, but otherwise the rights of an employer to terminate the employment of an employee remain unaffected by this policy. Thus a termination with a legitimate business reason (e.g. misconduct or redundancy) may be carried out as normal while an employee is on FDV leave.

When an employee does not intend to return to work after leave it is expected that they tender their resignation as soon as practicable.

Upon termination of employment, the employee will not be eligible for payment of any unused FDV leave.

### **3.6 While on Leave**

While an employee is on leave, it is the responsibility of the employee to maintain regular contact with their employer on a daily basis, (e.g. HR, leadership or other designated Company representative), to help them maintain a connection to the workplace and ensure they remain informed about any changes which may affect them upon their return to work.

### **3.7 Vacation and Sick Leave**

Vacation and Sick leave entitlements, as applicable, will accrue during the period of FDV leave that is taken, and the employee shall not be required to use any vacation or sick leave for purposes of FDV leave. However, FDV leave may not be extended through the use of vacation or sick leave, unless as otherwise provided by applicable law, or in the sole discretion of the Company.

### **3.8 Fraudulent Leave**

Any abuse of FDV leave or fraudulent statements or activities related to such leave or the requests thereof may result in discipline up to and including termination of employment.

## **4.0 Family and Domestic Violence in the Workplace**

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### **4.1 Use of Work Resources**

There may be instances where an employee is using work resources and time to be abusive towards others. It is never acceptable to use Company property to be abusive to those within or outside of the workplace, as set forth in the Group Standard for the Acceptable use of information and electronic resources.

If you are aware of this occurring, please contact your leader or HR immediately. Employees found to have behaved in this manner while utilizing company property may be subject to disciplinary action up to and including termination of employment.

### **4.2 Family and Domestic Violence in the Workplace**

Where both parties are employed by the Company and there is an allegation of abuse occurring in the workplace, that will be handled predominately as an HR matter and may result in discipline up to and including termination. Such abuse, if substantiated, will be reported to law enforcement in accordance with workplace violence policies as they may exist from time to time.

## **5.0 Guidance for Victims, Leaders and Colleagues**

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### **5.1 Seeking Support from Leaders or Colleagues**

The Company will provide training and support, open to all employees, to better equip them if a situation of this nature arises.

### **5.2 Employee Assistance Program (EAP) or External Provider Support**

If an employee is concerned about their safety in the workplace, they should, individually or with the support of their manager or colleagues, contact their Employee Assistance Program provider or family and domestic violence advocate organization.

There are several options for an employee seeking support through external services including the medical carrier, local domestic violence advocates or the local police department.

Contact details for the Employee Assistance Program are located on the intranet via MyRioTinto/myWellbeing as well as through the HR or Benefits areas.

#### **6.0 General**

The Company has the exclusive right to interpret this policy in the Company's sole discretion. The Company reserves the right to terminate or modify this policy at any time.