



**Human
Resources
Regulatory
Employment
Practices**

NORTHROP GRUMMAN



To: All Managers at Maryland Locations

This management guide includes an overview of key Human Resources regulatory employment practices, each mandated by federal and/or Maryland state law. Following these practices and related procedures will contribute to a positive, productive and safe work environment and ensure legal compliance.

This guide is designed to provide you with a working knowledge of these practices, and to help you understand your role in implementing them. It includes references to related documents in Command Media, as well as contacts, should you need more detailed information.

Having access to this information, you will be able to respond appropriately should a situation arise that calls for your intervention.

Keep this guide handy at work and refer to it when you are faced with a questionable situation in any of these areas.

A handwritten signature in black ink, reading "J.G. Cassady". The signature is written in a cursive style with a large, sweeping initial "J".

J.G. Cassady, Vice President
Human Resources and Administration

HUMAN RESOURCES REGULATORY EMPLOYMENT PRACTICES

- **Equal Employment Opportunity/ Affirmative Action (EEO/AA)**
- **Sexual Harassment**
- **Family Medical Leave Act (FMLA)**
- **Drug-Free Workforce**
- **Americans With Disabilities Act (ADA)**
- **Fair Labor Standards Act (FLSA)**
- **Privacy of Employee Information**
- **Maryland Right-to-Know**
- **Smoke-Free Environment**

EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION (EEO/AA)

Overview:

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in employment, including terms, conditions and privileges of employment, because of a person's race, color, sex, national origin or religion.

The Age Discrimination in Employment Act (ADEA) prohibits discrimination against applicants and employees aged 40 and older.

The Rehabilitation Act of 1973 prohibits discrimination because of a mental or physical handicap and requires employers contracting with the federal government to "take affirmative action to employ and advance in employment qualified, handicapped individuals."

Executive Order 11246 ensures the promotion of equal opportunity for all persons, without regard to race, color, religion, sex or national origin, employed or seeking employment with government contractors. This regulation also requires affirmative action to ensure equal opportunity in all aspects of employment.

The Vietnam Era Veterans Readjustment Assistance Act of 1974 prohibits discrimination against disabled veterans and veterans of the Vietnam Era. Federal contractors covered by this act must take affirmative action to employ and advance in employment, without discrimination, qualified, disabled veterans and veterans of the Vietnam Era.

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EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION (EEO/AA)

What You Should Know:

The company is committed to taking affirmative action in all aspects of employment, including selection for employment; promotion and transfer; selection for training; compensation and benefits; discipline and discharge; and reductions in force. Its policy ensures equal employment opportunity for qualified applicants and employees, regardless of race, color, religion, sex, marital status, age, national origin, disability and veteran status.

Management Responsibility:

Every member of management is responsible for upholding the principals of EEO/AA in his/her area of responsibility.

References:

Command Media Procedure H210

Bulletin Board Posting - EEO/AA policy statement signed by the sector president

For Assistance, Please Contact:

Organization's Human Resources Generalist

Affirmative Action/Diversity Office

Law Department - Labor and Employment Law Section

SEXUAL HARASSMENT

Overview:

Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, sex, color, religion or national origin in all employment practices, including terms, conditions and privileges of employment. This act defines sexual harassment in the workplace as a form of sexual discrimination.

What You Should Know:

The company recognizes sexual harassment as intolerable and a form of discrimination. Its policy is to provide a work environment free of sexual harassment.

Management Responsibility:

To maintain a work environment free of sexual harassment and to take prompt action whenever they learn of allegations of sexual harassment. This includes notifying one of the contacts listed below.

References:

Command Media Procedure H207

Bulletin Board Posting - Letter signed by the sector president

For Assistance, Please Contact:

Organization's Human Resources Generalist

Affirmation Action/Diversity Office

Law Department - Labor and Employment Law Section

FAMILY AND MEDICAL LEAVE ACT (FMLA)

Overview:

Employees are eligible to take up to 12 work weeks of unpaid, job-protected leave within a 12-month period, and to be restored to the same or an equivalent position upon return from leave, provided they have been employed by the company for at least 12 months, and worked at least 1,250 hours during the 12 months preceding the start of the leave.

What You Should Know:

Employees may take leave for the birth of a child and to care for the child; for placement of a child for adoption or foster care; to care for a spouse, child or parent with a serious health condition; and when they are unable to work because of a serious health condition.

Management Responsibility:

To maintain accurate attendance records for all employees and to provide to Human Resources, upon request, all such data related to an employee's absenteeism.

References:

Command Media Procedure H208
Bulletin Board Posting - FMLA Poster

For Assistance, Please Contact:

Organization's Human Resources Generalist
Affirmative Action/Diversity Office
Law Department - Labor and Employment Law Section

DRUG-FREE WORKFORCE

Overview:

The company's Drug-Free Workforce policy is based on Maryland state and federal drug-free workplace requirements. The objective of this policy is to create a safe and healthy work environment by keeping drugs and their effects out of the workplace.

What You Should Know:

There are drug-testing procedures in place for all applicants and for employees in specific situations. Employees who violate the Drug-Free Workforce policy will be subject to disciplinary action, up to and including discharge for a first offense, at the discretion of management.

Management Responsibility:

Managers who suspect an employee is violating this policy should consult another member of management and the Human Resources Generalist and take prompt action to address the situation.

References:

Command Media Procedure H209
Drug-Free Workforce Policy brochure

For Assistance, Please Contact:

Organization's Human Resources Generalist
Medical Department
Employee and Family Assistance Program (EFAP)
Law Department - Labor and Employment Law Section

AMERICANS WITH DISABILITIES ACT (ADA)

Overview:

The Americans with Disabilities Act of 1990 protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral and other aspects of employment. The law also requires that employers provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship. ADA covers physical and mental impairments that substantially limit an individual in typical life activities. Physical impairments covered by ADA include conditions that may not be apparent to others such as diabetes, epilepsy, heart disease and HIV infection.

What You Should Know:

Reasonable accommodations enable a qualified individual with a disability to perform a job and include providing an employee with special equipment (e.g., TTY, ergonomic keyboard, arm rest), or modifying their work schedule. ADA applies to applicants, employees actively at work, and employees with a medical restriction who are returning to work from disability leave.

Management Responsibility:

If an applicant or an employee indicates that he/she cannot perform a job because of a disability, contact a Human Resources generalist to discuss the reasonable accommodation process. Once a reasonable accommodation has been instituted, follow up with the employee to make sure the arrangement is working.

References:

Command Media Procedure H206

For Assistance, Please Contact:

Organization's Human Resources Generalist
Affirmative Action/Diversity Office
Law Department - Labor and Employment Law Section

FAIR LABOR STANDARDS ACT (FLSA)

Overview:

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime, record keeping and equal pay requirements for full- and part-time workers in the private and public sector. Executives, managers and professionals are exempt from the FLSA's minimum wage and overtime pay provisions. The FLSA requires employers to pay overtime to nonexempt employees at the rate of one and one-half times the employee's regular pay rate for hours worked in excess of 40 hours per work week.

What You Should Know:

Company policy provides guidelines for overtime payment for hours worked in excess of eight hours per day, or for work performed on holidays, Saturdays and Sundays. Represented employees are covered under provisions of the applicable collective bargaining agreement. Employers subject to the provisions of the FLSA are required to maintain records of an employee's wages and hours worked.

Management Responsibility:

To understand the difference between exempt and nonexempt employees and ensure their employees are paid in accordance with the law and company guidelines.

References:

Command Media Procedure H201

For Assistance, Please Contact:

Organization's Human Resources Generalist
Compensation Office
Law Department - Labor and Employment Law Section

PRIVACY OF EMPLOYEE INFORMATION

Overview:

This employment practice is based on Maryland Tort Law. The company's collection, use, transfer and/or retention of employees' personal information shall occur only for business and legal reasons. Access to this information, including information obtained during security or other internal investigations, is limited to employees with a legitimate need for the information to perform their duties.

What You Should Know:

Responses to inquiries from outside the company about employees and former employees are restricted to the verification of employment (i.e., dates of employment and positions held) unless:

- The employee or former employee has authorized the company in writing to provide further information.
- The information is required by a subpoena or other legal process.
- The agency requesting the information has a legal right to receive it without a subpoena or other legal process.

Management Responsibility:

To adhere to the requirements set forth in the company's Privacy of Employee Information policy by ensuring that personal information is kept completely confidential. To direct all requests for information about employees to a Human Resources generalist, the Employment Office, or the Law Department.

References:

Command Media Procedure H283

For Assistance, Please Contact:

Organization's Human Resources Generalist
Employment Office
Law Department - Labor and Employment Law Section

MARYLAND RIGHT-TO-KNOW LAW AND REGULATIONS

Overview:

The objective of the Maryland Right-to-Know Law and Regulations is to ensure that employees are informed of the required precautions and hazards of the chemicals they use in performing their jobs.

What You Should Know:

Managers who have responsibility for areas where hazardous materials are used should know and understand the following sections of the Maryland Right-to-Know Law and Regulations:

- Chemical labeling
- Maintaining/updating work area chemical inventories
- Interpretation, access and use of material safety data sheets
- Employee training requirements
- Training documentation requirements
- Employee rights

Management Responsibility:

To understand and comply with Command Media procedures related to the Maryland Right-to-Know Law and Regulations, including informing employees of chemical hazards and training them with regard to proper handling and use of these chemicals.

References:

Command Media Procedure K140
Manufacturer's Material Safety Data Sheets

For Assistance, Please Contact:

Industrial Hygiene and Safety Office

SMOKE-FREE ENVIRONMENT

Overview:

In order to comply with Maryland state law and provide a healthful workplace for employees, a smoke-free environment has been established in all buildings and facilities.

What You Should Know:

Smoking is prohibited in all buildings and facilities and is permitted only in designated outdoor smoking areas. All employees, customers and visitors are expected to comply. Employees who violate this requirement are subject to disciplinary action.

Management Responsibility:

To ensure buildings and facilities remain smoke free and to take appropriate action if a violation is observed.

References:

Command Media Procedure H210
Employee Handbook, "Working with Northrop Grumman"

For Assistance, Please Contact:

Organization's Human Resources Generalist
Employee and Family Assistance Program (EFAP)

HUMAN RESOURCES REGULATORY EMPLOYMENT PRACTICES SUMMARY

The material contained in this pamphlet is for informational purposes only and is not intended to completely cover the various federal, state, and local laws and regulations that impose certain requirements on employers with regard to the terms and conditions of employment. Should an issue arise, seek the advice of the appropriate Staff department, your organization's Human Resources Generalist or the Labor and Employment Law Section of the Law Department.

There may be circumstances when changes in the law, regulations or company policy may affect the general application of practices contained in this pamphlet. In such cases management will be notified by company announcement.