

Dispute Resolution Process FAQs

- Why does Turner [sometimes referred to as the “Company”] have a Dispute Resolution Process (“DRP”) and a Dispute Resolution Agreement (“DRA”)?
 - The DRP and the DRA were created to promote an effective and efficient way to improve the employment relationship, and to fairly address issues involving legal rights that cannot be resolved internally and directly. The DRA is also on-line at <https://www.turner-industries.com/careers/employee-documents/>
- Do I have to use this DRP for every problem I have?
 - No. We encourage you to continue to work out any issues with your foreman, supervisor, or manager. If that does not work, you should continue to engage your Human Resources manager, or the corporate Employee Relations Department. It is only when you feel or the Company feels that filing a lawsuit is the last and only option that this DRP and the DRA then will govern your claim, as well as any claim that Turner has that is subject to the DRA.
- Will I still be able to go to the Equal Employment Opportunity Commission (EEOC), the National Labor Relations Board, the Department of Labor, the Department of Justice, or any other government agency with a complaint?
 - Yes. You are still free to file charges with or seek relief from the appropriate state Human Rights Commission, the EEOC, the National Labor Relations Board, the Department of Labor, the Department of Justice, or any other state or federal government or regulatory agency. Nothing in the DRP or the DRA in any way precludes you from filing charges or seeking relief with these agencies. In fact, for certain [but not all] types of claims, you are required to exhaust remedies with these agencies.
- What if a supervisor makes work difficult for me after I use the DRP to file a complaint?
 - Turner forbids retaliation against employees or applicants for using the DRP. If you feel you are being retaliated against for using the DRP, you should contact jobsite management, if appropriate, or the Human Resource/Employee Relations Department[s].
- How do I start an arbitration?
 - The Employee Relations Department can assist you in contacting the American Arbitration Association (the “AAA”) on how to begin an arbitration. It is not a difficult process, and the Company can provide you with a copy of the AAA’s rules or you can obtain a copy from the AAA website.
- How does the arbitration work?
 - Both you and Turner choose a neutral arbitrator from a list provided by the AAA. The DRA requires that the arbitrator have some level of expertise based on the type of claim

you have filed. Once the Arbitrator is appointed, he or she will set deadlines for discovery, which involves an exchange of documents and other information. Then the Arbitrator will set a date for the arbitration, which is similar to a trial in court.

- Where does the arbitration take place?
 - To the extent practical, and subject to available venues with the AAA, the arbitration shall be held in or near the city in which you work for, or were last employed by, the Company.
- Do I have to pay anything as part of the arbitration?
 - Yes. Subject to the AAA's rules on employment disputes, you must pay an initial filing fee of \$300.00.¹ The Company pays most other fees associated with the arbitration – all as more fully described in the AAA's rules relative to employment disputes. However, the Company does not pay for your attorneys' fees or costs incurred by your attorney, unless ordered to do so pursuant to an arbitration award. In all respects, the final arbitration ruling will determine which party is responsible for payment of attorneys' fees and/or costs.
- How is arbitration different from a court trial?
 - Arbitration is generally faster and less formal, and therefore generally costs less. After the Arbitrator makes an award it is usually final and binding, with limited rights to appeal. The award is enforceable in court in accordance with the Federal Arbitration Act.
- Is the Arbitrator limited in what kinds of damages he or she can award?
 - No. An Arbitrator can award any kinds or types of damages that a judge or jury could based on the type of claim that you have filed.
- Can I still have my own lawyer?
 - Absolutely. Nothing in the DRP or the DRA limits your right to legal representation.
- How long does an arbitration take from filing to final decision?
 - That depends on the Arbitrator and the AAA's scheduling of issues such as discovery and filing of briefs, but most arbitrations should be resolved within 180 days after the Arbitrator's appointment. The Company believes it is in everyone's best interests to get a final arbitration ruling as quickly and expediently as possible.

¹ Fees change according to AAA's rates in effect. See <https://www.adr.org/employment>