


Petroleum	Health, Safety & Environment Management System Fair Treatment Assessment	
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PETROLEUM CSG


HSE MANAGEMENT SYSTEM PROCEDURE

FAIR TREATMENT ASSESSMENT

Petroleum HSEC Procedure No: PP01.01	
Reference: HSE Management Standard 1 – Leadership & Accountability	
Date: September 3, 2008	Revision: 3
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Approver: Dave Banks, Vice President HSE	Signature On File

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1.0 PURPOSE

The purpose is to provide guidance on the application of a fair and consistent assessment process which balances the need for a non-punitive learning environment with the need to hold individuals accountable for their actions.

It is not intended to be used as part of an incident investigation.

2.0 SCOPE

Fair Treatment Assessment applies to all Company controlled activities and employees. Contractors working for the Company are expected to comply with this Procedure or work under an equivalent contractor company procedure.


Fair Treatment Assessments may be applied to Company monitored activities where appropriate.

3.0 REFERENCES

This Procedure is to be used in conjunction with:

- [BHPB Management Standard 1 – Leadership and Accountability.](#)
- [BHPB ICAM Investigation Guideline G44, Issue 3, September 2005](#)
- BHPB Petroleum Human Resources Disciplinary Policy PET-HR-SI-G1 – Guidelines for Managers & Supervisors
- [BHPB Petroleum Guideline PG13.01, Incident Notification and Reporting](#)
- [BHPB Petroleum Guideline PG13.1, Incident Investigation and Analysis](#)
- BHPB Petroleum New Employee Induction Program

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4.0 DEFINITIONS

Company - BHP Billiton Petroleum

Contractor - a person employed either directly or indirectly by a company contracted to BHP Billiton Petroleum to provide equipment and/or services to a BHP Billiton Petroleum operation.

“Shall” or **“Must”** - Means a mandatory requirement.

Should - Means a guideline which is strongly recommended.

5.0 PROCEDURE(S)


The Fair Treatment Assessment process determines the nature of an individual’s involvement in an event where BHP Billiton’s HSEC policies, standards, protocols and procedures may have been compromised. The process is designed to assist line management in ensuring that an individual’s involvement is assessed in a clear, fair and consistent manner.

5.1 Application of Fair Treatment Assessment

The Fair Treatment Assessment process shall be performed following any significant incident, whenever a recordable injury has occurred, or where there is evidence that an individual or individuals may have breached HSEC policies, standards, protocols and procedures.

This Procedure does not provide advice regarding the disciplinary process nor will it replace existing procedures provided for in employment contracts or Agreements. The site Human Resources Representative should be contacted to obtain detailed advice on the disciplinary process.

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5.2 Responsibility for Application

The senior line manager (Production Unit Manager, Project Director, Drilling Manager, GGO Project Manager, etc.) shall be responsible for ensuring that the Fair Treatment Assessment process is performed. The Fair Treatment Assessment shall not be applied by an ICAM investigation team, although they may recommend to line management that this process be applied.

5.3 Assessment of Events

In cases where there are multiple actions that led to the event, each action should be assessed separately. For example, there may be an event where an employee does not follow an isolation procedure, is not wearing the correct PPE (personal protective equipment) and does not follow an approved standard operating procedure. Each of these acts should be assessed separately as each one may have different underlying causes and lead to different outcomes.

5.4 Disciplinary Action


Where it is deemed necessary, disciplinary action shall be determined by the responsible manager in conjunction with Human Resources. This guideline does not dictate what action should be taken. Further development and training may also be the required outcome from this process, and this should be clearly indicated where appropriate.

6.0 RESPONSIBILITIES

Fair Treatment Assessments shall be documented by the responsible manager and kept on file by Human Resources. Where cases appear similar to a previous occurrence, Human Resources shall be consulted to obtain guidance on any precedents that have been set.

Fair Treatment Assessments shall not be included in incident investigation reports or filed in incident investigation report files.

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7.0 UPDATES TO THIS DOCUMENT

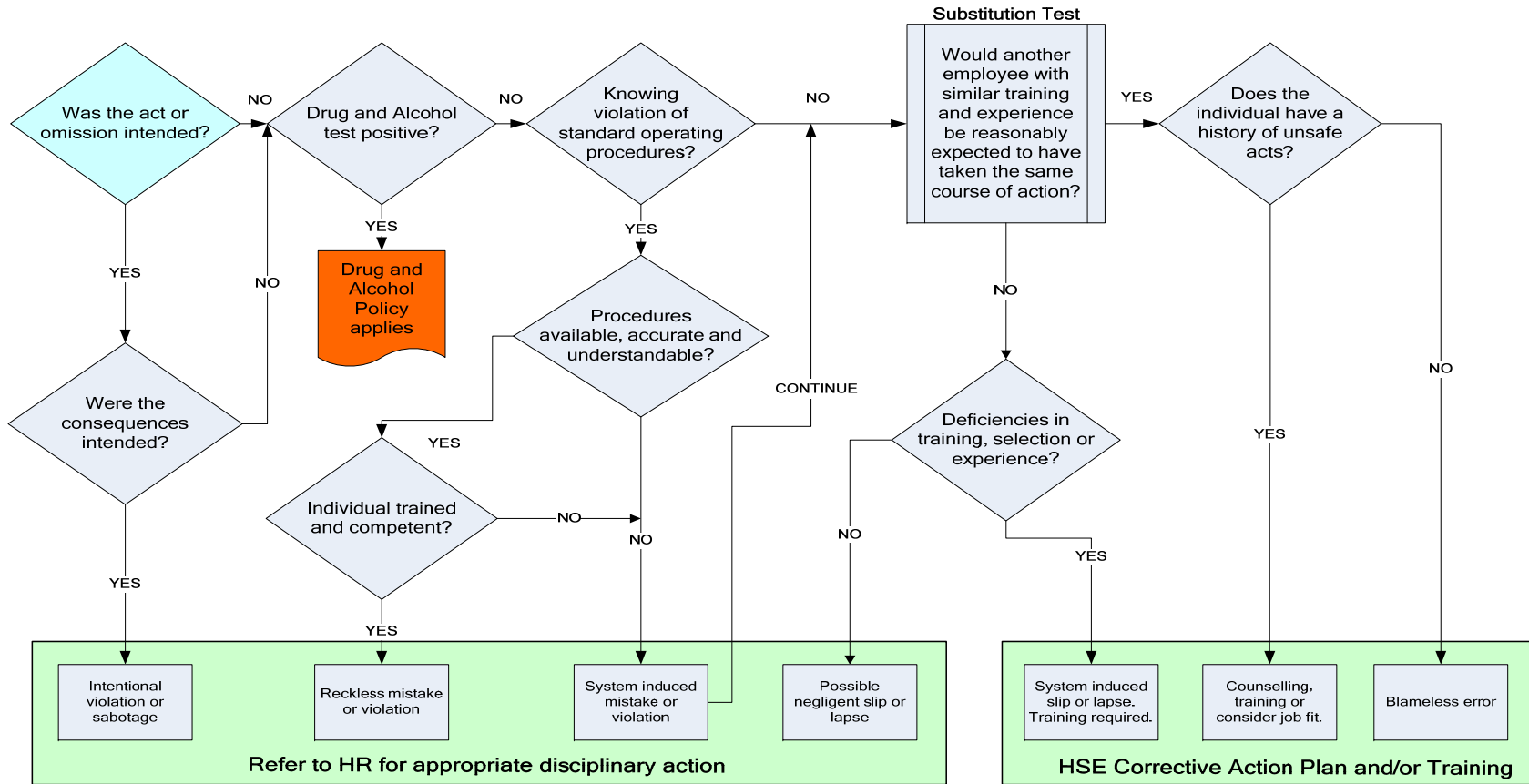
This is a Petroleum HSE Controlled Document. Requests for updates to Petroleum HSE Controlled Documents shall be documented on the Petroleum HSE Document – Update Request Form and sent to the **Petroleum HSE Systems Support** email in the GAL.

8.0 ATTACHMENTS


- 8.1 Fair Treatment Assessment Flowchart
- 8.2 Worked Examples for HSE Related Incidents
- 8.3 Fair Treatment Process Worksheet
- 8.4 HSE Corrective Action Plan

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8.1 Fair Treatment Assessment Flowchart



FAIR TREATMENT ASSESSMENT FLOWCHART

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8.2 Worked Examples for HSE Related Incidents

Example 1

Mechanical Technician is preparing a worksite (under permit to work) to lift equipment. The need to isolate the module heat detection was discussed at the JSA (job safety analysis) and at the pre-start talk with the Supervisor. The Technician's view was that this was not required at this stage. In moving some secondary steelwork, the heat detector was damaged and the platform tripped as a result.

- Possible reckless mistake or violation (Potential outcome is disciplinary action)

Example 2

A team of three are working together. One, a new man, is seen working without using the correct PPE. The other two members of the work team (experienced employees) just ignore or accept his transgression, and were responsible for inducting the new man.


- Possible blameless error for new man (Potential outcome is that counselling and training may be required)
- Possible reckless violation for old-hands (Potential outcome is Disciplinary action)

Example 3

Technician repaired equipment "her way" because the vendor documentation specified this method. She had informed her Supervisor previously but the procedure had not been changed, and no dispensation granted. She still had repaired it in contravention with the existing written procedures. There was no loss. Investigation proved that her way was in fact the correct option.

- System induced violation for Technician (Potential outcome is coaching)
- Possible reckless mistake or violation for Supervisor (Potential outcome is disciplinary action)

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Example 4

Electrician received severe electric shock and burns while carrying out maintenance. Correct procedures and isolations were followed by the Electrician who had no history of unsafe acts.

The ICAM report revealed the undetected presence of live bus-bars that were not correctly marked in work packs and “as built” drawings.

Two previous annual audits had found that the change management procedure although adequate, was not being followed, i.e. “as built” drawings were not being kept up to date.

No corrective actions or plans for corrective action existed at the time of the incident.

- Possible blameless error for Technician (Potential outcome is no action)
- Possible reckless mistake or violation for Engineering Manager (Potential outcome is disciplinary action)
- Possible reckless mistake or violation for Production Unit Manager (Potential outcome is disciplinary action)

Example 5

An operations Engineer has just joined the company and is scheduled to fly offshore by helicopter to a controlled offshore Company work site. The Aviation procedure requires that all personnel travelling offshore must possess a current medical evaluation certificate for Fitness to Work and a Helicopter Underwater Egress Training certificate. The supervisor is due for an updated medical and HUET as well.

Rather than comply with the procedure, the supervisor enters false information into the travel management system and manages to accompany the engineer offshore anyway. Site controls at the helicopter base fail to pick up the false information. The flight leaves shore but encounters problems during the flight and must make an emergency landing. The ensuing incident investigation reveals that procedures were not followed and information was falsified.

- Possible system induced violation or reckless mistake for new hire, as he was made aware of the medical and HUET requirements during their new employee induction (Potential outcome is that counselling and more training is required)
- Possible reckless mistake or intentional violation for the Supervisor (Potential outcome is disciplinary action, up to dismissal)


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8.3 Fair Treatment Process Worksheet

LOCATION:	
Incident Ref:	
Date of Incident:	
Summary of Incident:	
Date of Review:	
Reviewer:	
Employee Affected:	

	Question	Decision ?		Reason for Decision	Outcome	Consequences
1	Was the Act Intended ?	If Yes go to 2	If No go to 3		A Possible intentional violation or sabotage	
2	Were the consequences intended?	If Yes - see Outcome "A"	If No go to 3		B Drug and Alcohol Policy Applies	
3	Drug and Alcohol Test Positive:	If Yes - see Outcome "B"	If No go to 4		C System induced mistake or violation	
4	Knowing violation of standard operating procedures?	If Yes go to 5	If No go to 7		D Reckless mistake or violation	
5	Procedures available, accurate and understandable	If Yes go to 6	If No see Outcome "C"		E Possible Negligent Slip or Lapse	
6	Individual trained and competent?	If Yes see Outcome D	If No see Outcome "C"		F System induced slip or lapse	
7	Substitution Test: Would another employee with similar training and experience be reasonably expected to have taken the same course of action?	If Yes go to 9	If No go to 8		G Counselling, training or consider suitability for job.	
8	Deficiencies in training, selection or experience?	If Yes See Outcome "F"	If No see Outcome "E"		H Blameless Error	
9	Does the individual have a history of unsafe acts?	If Yes see Outcome "G".	If No see Outcome "H".			

Instructions: Address each question and follow the decision path depending on the response to the question.
Record sufficient detail in the "Reason for Decision" that a third party reading the document at some later time would understand your reasoning

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8.4 HSE Corrective Action

Location:

Name:

Date:

Summary of Incident:

Findings:

Specific Actions to Close Gaps:

Target Date(s) for Completion:

Next Review Period:

Supervisor Signature:

HSE Signature: