	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93
		REVISION DATE: 10/1/2014
POLICY NO. 120	Page 1 of 21	
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

I. PURPOSE

It is the objective of Perdue Farms Incorporated to provide fair, equitable, and timely resolution of work-related issues and concerns as the need may arise. However, the company recognizes that from time to time an associate may encounter a problem, question or complaint that, if left unresolved, could affect job satisfaction and work performance.

II. POLICY

As always, associates are encouraged to speak up when they have a concern or complaint about how the application of a company policy has affected them. Perdue Farms Open Door policy provides access to any member of management with whom an associate wishes to express a concern. This can be a very effective way to resolve problems.

However, when an individual is faced with a situation that has not been resolved to their satisfaction through the Open Door process, the Peer Review or Management Review procedures may be used. Both are a formal problem solving system designed to ensure that each associate's concerns are given careful consideration and conflicts are resolved fairly and in a timely manner.

III. PROCESS


This process involves using Peer Review or Management Review procedure depending on the nature of the complaint.

1. PEER REVIEW addresses complaints involving only disciplinary actions, terminations or the consistent application of company policies. Due to confidentiality issues, Peer review is only available at locations with more than 50 associates.
2. MANAGEMENT REVIEW addresses all issues not eligible for Peer Review such as pay rates, benefits, policy changes, staffing, promotions, transfers, performance appraisals, etc.

The remainder of this policy will be restricted to the Peer Review Process.

Approved by:



	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93
		REVISION DATE: 10/1/2014
POLICY NO. 120	Page 2 of 21	
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

3. SCOPE OF AUTHORITY

- A. The Peer Review Panel will hear appeals involving only disciplinary actions, terminations or the consistent application of company policies. In other words, peer panels may review management's actions to ensure that the application of policy or practice was followed appropriately and consistently. If they find otherwise, they have the authority to make remedies consistent with Company practices and/or policies.
- B. In no case can the Panel modify a decision to make it more severe than the original management action nor can they change policy.
- C. All decisions by the Peer Review Panel shall be final and binding. **There shall be NO RETALIATION by any level of management or other associate against an associate who appeals an issue or participates in the process.**


4. ELIGIBILITY

- A. This policy will be for all regular non-union, full time and part-time associates below the Director level.
- B. Any disciplinary actions involving the following issues will not be eligible for Peer Review; however, they will be eligible for Management Review process:
 - Gross negligence in the operation of a Company vehicle
 - Sexual harassment
 - Drug and Alcohol Policy violations
 - Workplace Violence
 - Violation of State Nursing Practices Act
 - Lockout Tagout violations

5. PROCEDURES

Approved by:



	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93
		REVISION DATE: 10/1/2014
POLICY NO. 120	Page 3 of 21	
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

PEER REVIEW is a four-step process. **In cases involving termination of employment, the involved associate, if they choose to use this process, will go directly to step 4.**

STEP 1

Within five (5) working days of the occurrence of the problem, the associate shall obtain a Peer Review Process Appeal Form (See Attachment A) from Human Resources/Supervisor to document the issue. The associate will meet with their Supervisor and discuss the issue. The supervisor will notify the associate of their decision to uphold, or change their previous action and complete the Step 1 Section on the Peer Review Process Appeal Form.

STEP 2

If the associate is not satisfied with the Supervisor's response, they may notify a member a member of management through the Peer Review Process Appeal Form to whom the supervisor reports to indicate the problem and the desired remedy. (If the associate is unable to complete the form due to language, literacy or disability, they may verbally notify a member of management who will ensure they get assistance to complete the form.) This member of management shall meet with the associate and, after conducting an investigation and consulting with their own supervisors, will give the associate a written response within a maximum of five (5) working days. (An example of the Manager's Response Form is attached as Attachment B.)


STEP 3

If the associate disagrees with the Step 2 written response, they may appeal in writing to the Facility Manager using the Peer Review Process Appeal Form within two (2) working days. The Facility Manager will meet with the associate, thoroughly review the problem, taking into account all relevant facts and give a written response to the associate within three (3) working days using the Manager's Response Form.

STEP 4

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	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93
		REVISION DATE: 10/1/2014
POLICY NO. 120	Page 4 of 21	
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

If the associate disagrees with the Step 3 written response, he/she may appeal to either the Director of Operations (Director of their functional area if not a plant associate and where applicable, hereafter referred to as 'Functional Director') **or** to the Peer Review Panel within two working days by returning the Peer Review Process Appeal Form so indicating to the Human Resources Manager. When the associate has selected their option of Director of Operations/Functional Director or Peer Review Panel, the choice is final. A **final and binding** decision will be made by the Director of Operations/Functional Director or Peer Review Panel. The Director of Operations/Functional Director will meet with the associate and will give a decision within five (5) working days. If the Peer Review Panel is selected, a meeting will be held within five (5) working days and a binding decision given within an additional five (5) working days. (An example of the Panel Response Form is attached as Attachment C.)

If an associate does not appear for their panel review hearing by the appointed time the Panel is to convene; the last decision will stand.

6. TERMINATION


- A. Terminations will automatically proceed directly to Step 4. A terminated associate must submit the completed Peer Review Process Appeal Form to or notify Human Resources within five (5) working days of the termination notification (after any suspension period).
- B. Associates terminated during their 60 day probationary period may not utilize the Peer review Process.

7. TIME LIMITS

- A. Managers and associates are encouraged to work together to resolve disputes as quickly as possible. All deadlines mentioned in this policy may be extended by mutual consent **in writing** to the Human Resources Manager.
- B. If, at any step in the procedure, the associate does not receive an answer to their issue within the time limits set out above, the associate may initiate the next step in the procedure.

Approved by:



	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93
		REVISION DATE: 10/1/2014
POLICY NO. 120	Page 5 of 21	
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

- C. "Working Day" shall mean the regular scheduled shift of the associate concerned. A "working day" therefore will not include any regular or scheduled days off, holidays, or vacation days.

8. PEER REVIEW PANELISTS GROUPS


- A. Panelist Group members shall be trained and certified associates, supervisors and managers.
- B. There shall be two (2) Panelist Groups.
- Group A = All hourly, non-exempt associates.
Group B = All salaried, exempt associates.
- C. Associates in each Group shall be determined by means of a voluntary sign up of associates with more than one (1) year of Perdue service. Volunteers must then satisfactorily complete the Peer Review Panelists Training Program in order to be certified Peer Review panelists.
- D. Locations will maintain a pool of trained panelists that equal 15% of their total workforce headcount. Pool size is designed to give every trained panelist an opportunity to participate and to prevent the same panelists from being selected every time.
- E. Human Resources shall ensure that each Group's membership is large enough to fulfill the objective of having a random drawing, and to represent the occupation, race and sex compositions of the workforce served by the Group.

8. PANEL SELECTION

- A. An associate from Group A will randomly draw six (6) names from Group A and after reviewing the names will select three (3) to serve on the panel. This associate will also draw four (4) names from Group B and after reviewing names

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	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93 REVISION DATE: 10/1/2014
	POLICY NO. 120	Page 6 of 21
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

select two (2) to serve on the panel. These panelists will serve as primary panelists. This process will be repeated and the second group of panelists selected will serve as alternates.

- B. An associate from Group B will randomly draw six (6) names from Group B and after reviewing names will select three (3) to serve on the panel. This associate will also draw four (4) names from Group A and after reviewing names select two (2) to serve on the panel. These panelists will serve as primary panelists. This process will be repeated and the second group of panelists selected will serve as alternates.
- C. In the event that any selected panelist cannot serve on the panel because of such things as business commitments, conflict of interest, being directly related as a family member or living in the same household as the appealing associate, the panelist must withdraw their name. The associate will draw two (2) more names from the appropriate group and select one (1) to replace the withdrawn panelist or the first alternate panelist can be selected.
- D. Selection of panelists will be recorded on the Peer Review Panelists Selection Form (See Attachment F).
- E. Certain associates are ineligible to serve on a panel. They are the associate's supervisor and their manager and any other associate directly associated with the issue.
- F. **Under no circumstances is any associate forced to serve as a panelist.** Any disqualifications requested by a selected panelist shall be respected and the Facilitator will contact the appealing associate to draw two (2) more names and select one (1) as indicated above or the first alternate panelist can be selected.
- G. Panelists' names shall be drawn at random from appropriate Group containers by the appealing associate, in the Human Resources Office, in the presence of the Facilitator.

Approved by:



	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93 REVISION DATE: 10/1/2014
	POLICY NO. 120	Page 7 of 21
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

9. OTHER RELEVANT INFORMATION


- A. Panelists and Facilitators are certified after completing a special training program. They are required to maintain **complete confidentiality** at all times. The panelists have the authority to grant, modify or deny an associate’s request. **IN NO CASE CAN PANELISTS MODIFY A DECISION TO MAKE IT MORE SEVERE THAN THE ORIGINAL MANGEMENT ACTION NOR CAN THEY GRANT SOMETHING THAT WAS NOT REQUESTED BY THE APPEALING ASSOCIATE. THEIR DECISION IS FINAL AND BINDING AND CAN NOT BE OVERRULED.**
- B. If they wish, associates may get help in preparing and presenting their case where a legitimate communication/language problem exists. The associate and witnesses must appear before the panelists themselves, but may have a translator, approved by the Facilitator, present for translation purposes only. All other appealing associates and witnesses must appear before the panel **alone**.
- C. Associates serving on a panel shall be compensated for such time including any required travel time from and to their reporting headquarters in accordance with company policy.

10. PEER PANEL PROCEDURES

- A. The panel investigates the problem thoroughly before arriving at a final decision. The panel may question the associate, call witnesses, examine past practices to determine precedent and examine all documents relative to the problem.
- B. Only one witness is present in the meeting at any given time. Only Perdue Farms associates and/or persons working on or conducting business on company property at the time of the occurrence are permitted as witnesses in that Peer Review Case.
- C. **Members of management are not permitted to be present during the Peer Review Proceedings unless they are the Facilitator, Panelists or called as a witness.**

Approved by:




	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93 REVISION DATE: 10/1/2014
	POLICY NO. 120	Page 8 of 21
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

- D. After examining the facts, the panel members reach a final decision to grant, deny, or modify the appeal. A majority opinion (3 out of 5) is sufficient to make the decision binding.
- E. Prior to deciding to grant or deny the appeal, the panel should discuss the possibility to modify and come to a majority opinion on modification.
- F. Panel decisions will be the result of a secret ballot vote. The Facilitator will be responsible for clarifying the issues prior to the vote and will arrange for the voting to take place. Each panelist will write their decision on a piece of paper which will be folded over to ensure secrecy and confidentiality. Panelists should use the same color ink pen. Each panelist shall give the Facilitator their vote. The Facilitator will mix the votes to ensure continued secrecy and confidentiality.
- G. The Facilitator will begin opening the votes one at a time. Ballots will be read until three votes on one side of the issue are found. Three votes constitute a majority of the panel and the remaining ballots will not be opened. With the panel's approval, the Facilitator will destroy all five of the ballots.
- H. A written response will be developed by the Facilitator with the help of the panel and signed by each of the panelists. The Facilitator will then notify the appealing associate and supervisor/manager of the panel decision. The appealing associate may request the Facilitator to provide him/her with a copy of the written decision. (Attachment C).
- I. All appeal record files are confidential, and will be maintained separately from associate personnel files. Access to this file will be managed by the Human Resources Manager, Associate Relations Representative/Facilitator. These records will be accessible only on a "need-to-know" basis. By written request from the associate, a copy of an appeal and related response(s) will be placed in the associates personnel file.
- J. **The panel decision and all details pertaining to panel business will be kept strictly confidential.**

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	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93
		REVISION DATE: 10/1/2014
POLICY NO. 120	Page 9 of 21	
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

11. RESPONSIBILITIES

- A. **Human Resources Manager** – is responsible for the administration of this policy/program. This includes: logging and file maintenance; counseling and assisting members regarding issues; procedures and possible resolution; training panelists, managing and facilitating panel hearing; keeping all records, etc. in a confidential manner.
- B. **Managers/Supervisors** – are responsible for resolving all problems at the lowest possible level and doing so in a timely manner.
- C. **Panelists** – are responsible for ensuring a thorough and impartial investigation, making factually based judgments and disqualifying themselves from serving when there is a conflict of interest.


A panelist is required to maintain confidentiality regarding all procedures and aspects of an appeal. This is an essential obligation of each panel member and is not to be compromised in any manner. Any violation of this confidential information would result in dismissal from future panels and could result in disciplinary action.

- D. **Associate** filing the appeal is responsible for following established procedures, respecting the rights and obligations of all members involved in the procedure, and seeking a fair resolution to their problem. If the associate has a problem with the steps of the procedure, this can be discussed with the Human Resources Manager.
- E. **Facilitator** – The Human Resources Manager or Associate Relations Representative shall serve as the Facilitator for panel hearings except when he/she is not available or has functioned in directly making management decisions in previous steps in the appeal process. In such cases the Human Resources Manager or Director of Operations/Functional Director shall designate a Facilitator from a pool of certified, trained facilitators.

12. RESPONSIBILITY

Approved by:



	PERSONNEL POLICIES AND PROCEDURES	
	SUBJECT: Peer Review	EFFECTIVE DATE: 05/03/93 REVISION DATE: 10/1/2014
	POLICY NO. 120	Page 10 of 21
ALL REVISIONS ARE MARKED BY AN ASTERISK (*)		

The Senior Vice President of Human Resources retains the authority and responsibility for this Policy. Questions concerning the meaning or interpretation of this Policy should be referred to the appropriate Director of Human Resources. Any circumstances that require a waiver from the Policy must be coordinated through the Senior Vice President or appropriate Director of Human Resources.

13. ATTACHMENTS

The following attachments are provided to support this policy and procedures.

- | | |
|--------------|--|
| Attachment A | Peer Review Process Appeal Form |
| Attachment B | Steps 2 & 3 Management's Decision Letter Example |
| Attachment C | Step 4 Panel or Director's Decision Letter Example |
| Attachment D | Panelists Code of Ethics |
| Attachment E | Peer Review Process Procedures |
| Attachment F | Peer Review Panelists Selection Form |
| Attachment G | Panelists Dos and Don'ts |
| Attachment H | Peer Review Panel Vote Slip |
| Attachment I | Recommended Room Setup |

Approved by:



**PEER REVIEW PROCESS
Appeal Form**

NAME: _____ **Associate ID Number:** _____

Department: _____ **Shift:** _____ **Peer Review File #:** _____

My concern is: _____

I am requesting that: _____

I understand that my choice at Step 4 is final. I hereby authorize the indicated managers below and the Peer Review Panel access to those portions of my personnel file and/or medical files which are relevant to proper investigation of my appeal. I agree that the decision at Step 4 is final and binding as will be my acceptance of a decision at Step 1, 2, or 3.

Associate's Signature: _____ Date: _____

STEP 1 Appeal forwarded to: _____ Date: _____

A meeting was held to discuss the concern on _____ (date).

I accept this decision. My acceptance of this decision concludes the Peer Review Process _____ (initials).

I do not accept this decision _____ (initials). **(GO TO STEP 2 or 3 if no level of management at that step.)**

Associate's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

STEP 2 Appeal forwarded to: _____ Date: _____

I am not satisfied with the decision at Step 1 and desire to seek further review for resolution. A meeting was held to discuss the concern on _____ (date).

I accept this decision. My acceptance of this decision concludes the Peer Review Process _____ (initials).

I do not accept this decision _____ (initials). **(GO TO STEP 3 or 4 if no level of management at that step.)**

Associate's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

STEP 3 Appeal forwarded to: _____ Date: _____

I am not satisfied with the decision at Step 2 and desire to seek further review for resolution. A meeting was held to discuss the concern on _____ (date).

I accept this decision. My acceptance of this decision concludes the Peer Review Process _____ (initials).

I do not accept this decision _____ (initials). **(GO TO STEP 4.)**

Associate's Signature: _____ Date: _____

Manager's Signature: _____ Date: _____

STEP 4 I am not satisfied with the decision at Step 3 and desire to seek further review for resolution.
Forward my appeal to:

Director of Operations/Functional Director _____ (initials).

Peer Review Panel _____ (initials).

Associate's Signature: _____ Date: _____

ATTACHMENT B



PEER REVIEW DECISION

PEER REVIEW FILE NUMBER _____

Facilitator: _____

STEP TWO or STEP THREE

Dear Mr./Mrs./Ms. _____:

Thank you for bringing your appeal to the Peer Review Process. After a thorough review of the situation you asked to have resolved, the following is my decision. During my review, I

It is my opinion you have been an associate long enough to understand the company's policy and procedure on _____. As a result of listening to all witnesses called and the evidence presented, my decision is to _____ your appeal. Therefore, I believe _____ was/was not fair and consistent application of company policy and procedures.

_____, I know this will be a welcomed decision for you. You will be _____ . Your request to be paid for the time missed has been denied, and I hope you understand the seriousness of this matter. Good luck!

STEP TWO

Supervisor's Supervisor

Signature Date

RECEIPT OF DECISION

Associate Date

STEP THREE

Manager

Signature Date

Copy:

- Associate
- Supervisor
- Manager
- Human Resources



PEER REVIEW PANEL DECISION

PEER REVIEW FILE NUMBER _____

Facilitator: _____

Dear Mr./Mrs./Ms. _____:

Thank you for bringing your appeal to the Peer Review Process. After a thorough review of the situation you asked to have resolved, the following is our decision. During our review, we listened to all parties and witnesses we felt necessary to render a fair decision and weighed the evidence presented. At issue was whether management had applied the policy fairly and consistently when you were given a disciplinary write-up for _____

Based upon the evidence presented and the testimony of yourself, your supervisor and other witnesses we called, we have reached a unanimous decision to _____ your appeal. The evidence showed that you have been trained in and an associate long enough to understand the company's policy and procedure. Therefore, we believe _____ was/was not fair and consistent application of company policy and procedures.

_____, we know that this is a (favorable / unfavorable) decision for you. We thank you for using the Peer Review Process and wish you luck in your future endeavors!

OPTION "A"
Director of Operations / Functional Director

Director' Signature Date

OPTION "B"
PEER REVIEW PANEL

Panelist Date

Panelist Date

Panelist Date

Panelist Date

Panelist Date

COPY:

- Appellant
- Supervisor
- Manager
- Director of Operations / Functional Director
- Human Resources
- Peer Review File

PEER REVIEW PANELISTS CODE OF ETHICS

Panelists are expected to be fair and impartial in all decisions.

Panel members will fully investigate each appeal before making a decision.

All decisions will be made by majority vote of the Peer Review Panel.

Panels may grant, deny or modify an appeal.

All decisions made by the Peer Review Panel will be final and binding.

All information presented to panelists by anyone involved in the case will be kept in strict confidence.

Final decisions reached by a panel will be considered a "Group Decision" and not that of any one individual.

All other members shall hold all statements and votes made by panel members in strictest confidence.

Panelist Signature	Date
---------------------------	-------------

PEER REVIEW PROCEDURE

STEP 1
(within 5 days)

Contact HR Facilitator
Complete Peer Review Form
Verbal discussion of problem with supervisor
-2 days to respond verbally.
-If not satisfied go to STEP 2.

STEP 2
(within 2 days)

-Contact HR Facilitator
-Complete Peer Review Form
-Distribute to Superintendent/Manager
-Respond within 5 days
-If not satisfied go to STEP 3.

STEP 3
(within 2 days)

-Contact HR Facilitator
-Complete Peer Review Form
-Distribute to Facility Manager
-Respond within 3 days
-If not satisfied go to STEP 4.

STEP 4
(within 2 days)

-Contact HR Facilitator
-Make choice of path to resolution –
 “A” or “B”
-Terminated associates skip to this step

A

B

Director of Operations or Functional Director’s Review

Peer Review Panel

- Investigates
- Issues written decision within 5 days

- Investigates
- Issues written decision within 5 days

Decision Final and Binding

Decision Final and Binding

PEER REVIEW PANELISTS SELECTION

SALARY	Accepted	Rejected	HOURLY	Accepted	Rejected
--------	----------	----------	--------	----------	----------

PRIMARY

1.						
2.						
3.						
4.						
5.						
6.						

ALTERNATES

1.						
2.						
3.						
4.						
5.						
6.						

If the person requesting Peer Review is hourly, the Panel will consist of three (3) hourly and two (2) salary

If the person requesting Peer Review is salary, the Panel will consist of three (3) salary and two (2) hourly

I, _____ verify that I have drawn and selected the above Perdue associates for my Peer Review Panel. I would like the following witnesses called in by behalf. I do understand that the Panel may or may not talk to my witnesses as it is left to their discretion regarding the witnesses they will interview.

Witnesses: _____

Appellant's Signature

Date

Signature of Translator / Facilitator

Date

Panelists DOs and DON'Ts

During a Peer Review Hearing, it is critical that all panelists conduct themselves in a professional manner. Here are some tips to make sure that this is accomplished.

DO:

Greet all witnesses immediately and warmly since they are probably very nervous.

Listen intently to all witnesses involved in the case and be sure to show/demonstrate that you are listening.

Take notes as appropriate.

Ask questions in a *positive* and *non-threatening* manner.

Follow up on questions of the other panel members.

Repeat your understanding of the testimony given.

Express your views and needed information to other panel members.

Consider all testimony and points of view before voting.

Accept the majority decision as a “Panel Decision” even if it does not agree with your vote, or your personal viewpoint.

Maintain confidentiality of all information of all information brought out in the entire panel process.

DON'T:

Be threatening or intimidating to any witness or panel member.

Agree with witnesses or dispute their testimony.

Attack the self-esteem or honesty of a witness.

Argue with other panel members in front of a witness.

Openly show which way you intend to vote in front of any witness.

Make a decision until you have all the information you need or all that is available.

Be afraid to express your opinion to all other panel members.

Discuss details of any case after the hearing are over.

**PERDUE FARMS INCORPORATED
PEER REVIEW**

Was the policy or practice applied
properly and consistently in this case?

YES NO

11/96

PER/412

**PERDUE FARMS INCORPORATED
PEER REVIEW**

Was the policy or practice applied
properly and consistently in this case?

YES NO

11/96

PER/412

Recommended Room Setup

- **Make sure the room is quiet.**
- **If window or doors, cover to prevent people in the Peer Review being observed.**
- **Flip Chart should be angled so the panel and associate/appellant can view.**
- **Panelists Packets should be on table when the panelists enter the room.**
- **Associate/Appellant should not be allowed to move chair any closer to panel**

