LOS ALAMOS NATIONAL LABORATORY Code of Conduct

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Mission, Vision, & Culture



Mission

To solve national security challenges through simultaneous excellence.



Vision

To be trusted by our nation, emulated by our peers, and respected by the world.



How we do work is as important as what we do.

Values

Service

Serve our nation, partners, community and each other

Integrity

Demonstrate honesty, ethical conduct, accountable stewardship and individual responsibility

Teamwork

Achieve our best by respecting diverse opinions and backgrounds, exploring alternatives and collaborating with colleagues and partners

Excellence

Ensuring safe and secure mission delivery in nuclear security; science, technology and engineering; operations; and community relations

Laboratory Agenda

Laboratory Agenda

The strategic objectives are:

Trustworthy operations: Consistently demonstrate and be recognized by diverse stakeholders for trusted and trustworthy operations.

Nuclear deterrent: Lead the nation in evaluating, developing and ensuring effectiveness of our nuclear deterrent, including the design, production, and certification of current and future nuclear weapons.

Technical leadership: Deliver scientific discoveries and technical breakthroughs to advance relevant research frontiers and anticipate emerging national security risks.

Threat reduction: Anticipate persistent and emerging threats to global security; develop and deploy revolutionary tools to detect, deter and respond proactively.



The Laboratory mission, vision vales and behaviors shape our work, emphasizing that HOW we do things is as important as WHAT we do.

The Lab Agenda focuses on outcomes and revolves around four strategic objectives and the measurable end states, or "critical outcomes," that enable the Laboratory to meet each of the four objectives.



Message from our Director

Los Alamos National Laboratory's leadership team is committed to scientific, operational, and technological excellence; to ensuring the quality and integrity of our critical national security missions; and to driving Lab culture to a place where how we work is as important as what we do.

The Laboratory is charged with an important national security mission. Every day, our employees apply world-changing science and technology to ensure the safety, security, and effectiveness of the U.S. nuclear deterrent.

Our efforts help solve some of the nation's toughest national security challenges. To do this work, we each have a responsibility to conduct ourselves with integrity. This is the expectation for all LANL employees, regardless of their talent, position, or performance. No one is above the rules, and no business or mission objective is worth achieving if we must sacrifice our integrity to do so. These values are important to all of our employees, whether they are working from home or onsite. All Laboratory employees must do the right thing, even when no one is watching.

This Code of Conduct articulates many of the policies that apply to upholding the standards of our Laboratory. Every employee should read and understand these materials and ask questions if something is unclear. Please be active supporters of our mission and committed stewards of our culture by leading by example and committing to ethical behavior.

Jhomas Moon

Dr. Thomas Mason, Director, Los Alamos National Laboratory



Welcome to Los Alamos National Laboratory's Code of Conduct!

This Code is intended to serve as a source of information to help you apply our values to situations you may face in the course of doing business. The Code summarizes the standards of conduct that guide our actions. Although it does not offer an answer for every situation, it provides the resources you need to make ethical decisions. Refer to it often in your work, use good judgment, and always seek guidance if you need additional assistance. More detailed policies and procedures are noted in the Code along with contact information that can be helpful to you.

Our ability to execute the Laboratory's mission depends on our ability to be successful in all areas outlined in the Lab agenda. This is what's referred to as "simultaneous excellence." Our values are what we use to achieve simultaneous excellence: providing excellent service, building integrity and working well as a team. In essence, "How we do things is as important as what we do." As employees of Los Alamos National Laboratory (LANL), we are fortunate to have a culture that sets us apart and defines who we are as an organization. Our unique culture is continually renewed by the choices and actions each of us makes every day.

The Code applies to all LANL employees and to members of the Board of Directors, consultants, contractors, and others when they are representing or acting for, or on behalf of, LANL.

Some requirements employees must follow include:

- Adhere to the Laboratory values and this Code of Conduct in order to safeguard the Laboratory's mission and reputation.
- Always act in a professional and ethical manner.
- Be familiar with the information contained in this Code and related LANL policies, particularly those policies that relate to your job responsibilities.
- Speak up and ask questions whenever you are unsure about how to apply our policies, values, and standards in particular situations.
- Cooperate fully with internal inquiries, audits, and reviews of alleged unethical behavior or inappropriate activities. Never hinder another employee's cooperation in an inquiry or audit.
- Promptly report any suspected unethical or illegal behavior to a manager, EA-Ethics, Human Resources, or General Counsel.

While ethical conduct is expected at all levels of LANL, managers are expected to meet the following additional responsibilities:

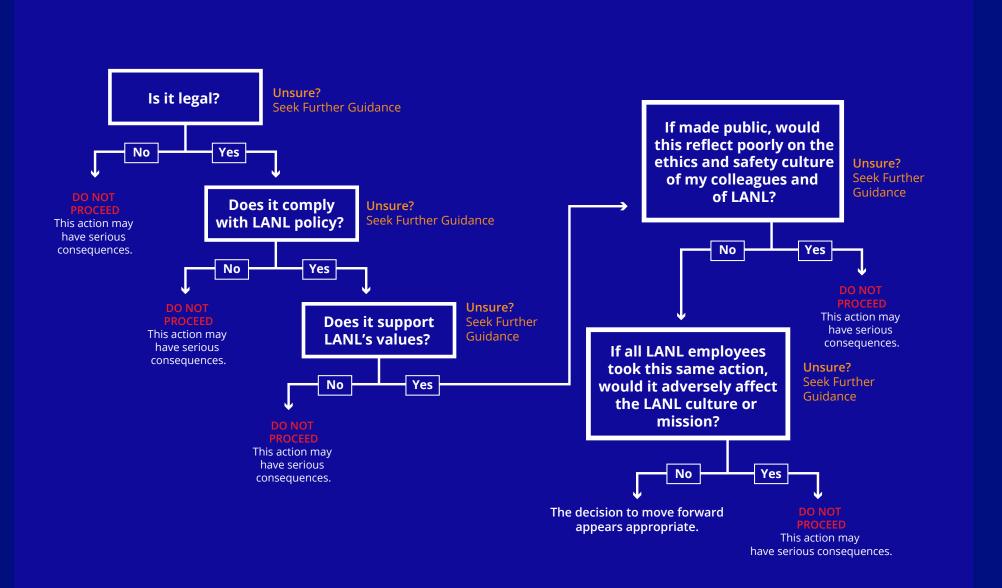
- Lead by example and be a role model for ethical behavior.
- Be a resource for employees.
- Create an environment where trust and integrity are valued and where everyone feels comfortable asking questions and reporting potential violations of the Code, the law, and policies.
- Make sure that no one who comes forward with a concern suffers retaliation.

Triad takes its legal and ethical obligations seriously and our commitment to integrity begins by complying with laws, rules, and regulations. To fulfill this obligation, each of us must commit to our Laboratory Agenda and comply with the standards established in this Code of Conduct. Every employee must, to the extent practicable, have an understanding and working familiarity of the policies, laws, rules, and regulations that apply to their specific roles. Any employee who is unsure of whether a contemplated action is permitted by law should seek the advice of the Office of General Counsel. It is the responsibility of every employee to prevent violations of law and to speak up if they see possible violations.



EA-Ethics Group

Choosing the right thing to do is not always easy. There may be times when you feel under pressure or unsure of what to do. Remember, our Code is the starting point, not the finish line. It lays out the basic rules for how we do things, but it does not have the answer to every question you might have or every situation you might face. Not sure what to do? A decision tree can be a useful tool when you are faced with an ethical dilemma. Think of a decision you need to make. Follow the tree through the questions to determine what action you should take.















Reporting Employee Concerns

Triad is committed to a culture of transparency, and one where staff feel free to express concerns or to raise issues without hesitation or fear of retaliation. To foster this culture, all of us must report instances of improper conduct, unsafe conditions, conflicts of interest, violations of law or policy, or other irregularities.

Summary of Policy

The Laboratory encourages workers to bring forward good-faith concerns regarding an improper activity or concern such as Violation of Law or Policy; Fraud, Waste, and Abuse; Safeguards and Security; Environment, Safety, Health, and Quality; and Harassment, Intimidation, Retaliation, Discrimination, and Workplace Violence. The Laboratory addresses such concerns in an independent, objective manner.

Employees are encouraged, but not required, to address workplace concerns directly with their managers before initiating action through the Employee Concerns Program (ECP).

No Laboratory worker will be reprimanded, disciplined, or otherwise retaliated against as a result of filing such a complaint or participating in good faith in any procedures under the ECP.

Retaliation Will Not Be Tolerated! We must foster an environment in which we all feel free to express concerns and to raise issues without fear of retaliation. Retaliation for the good faith r eporting of a concern regarding any suspected instances of improper conduct, violation of law, regulation, or policy, or for participating in an investigation, is unacceptable and will not be tolerated. Staff should report any suspicion of such behavior to the Employee Concerns Hotline or Website, EA-Ethics, or Human Resources-Employee Relations. A report made by staff may also be protected from retaliation under certain laws and regulations, such as a whistleblower law or DOE's Contractor Employee Protection Program.

Do the Right Thing

Speak up! Have the courage to say and do what is difficult. Take action when you believe the law, our Code, or our policies may have been violated. Raising problems before they become bigger issues is essential to operating with integrity. Remember, an issue cannot be addressed unless it is brought to someone's attention. Every time we ask a question or raise a concern, we create an opportunity to improve. You are encouraged, as determined by your own comfort level, to use any of the following for reporting concerns:

- Your manager
- Employee Concerns Hotline: (844) 537-9524, https://lanl.ethicspoint.com
- Call EA-Ethics at (505) 667-7506
- Send email to ecp@lanl.gov
- Send a written concern to MS D449, Attention: ECP
- Meet in person with an Ethics Specialist at TA-00, Bldg. 798, Room 2001 (1911 Central Avenue, 2nd floor, entrance on the end of the building across from Ashley Pond)



Q: My management typically does nothing when concerns about potential misconduct are brought to their attention, and I believe they have made things difficult for other employees who have raised issues. A co-worker is doing something that I believe to be in violation of policy, and I am afraid to report the problem. What should I do?

A: Speak up! It is everyone's responsibility to report misconduct, and you can do so without fear of retaliation for something you believe is true. While starting with your manager is often the best way to efficiently address concerns, if you do not believe it is appropriate or do not feel comfortable doing so, you should speak to another member of management, the ECP, or Human Resources-Employee Relations (HR-ER).

Q: I heard that someone misused the hotline by making an anonymous report and falsely accusing someone of wrongdoing. Is that true?

A: Experience has shown that a hotline is rarely used for malicious purposes, but unfortunately it can happen. It is important for employees to know that LANL does follow up on reports to the extent possible based on the provided information. Anyone who uses our reporting channels in bad faith to spread falsehoods or threaten others or with the intent to unjustly damage another person's reputation will be subject to disciplinary action. Per P793, Employee Concerns, Section 3.0, "However, the Laboratory may take disciplinary action against any Laboratory employee who attempts to use the ECP to harm another employee through the intentional filing of a false report, whether orally or in writing. The Laboratory may report any subcontractor who intentionally files a false report to the subcontractor's employer."

- HR-Employee Relations (505) 667-8730
- HR-Labor Relations (if craft employee) (505) 664-0972
- Sexual Harassment Officer (SHO) (505) 667-7011
- Dedicated Confidential Sexual Harassment reporting line (505) 606-8167
- The Office of General Counsel (505) 667-7930
- Los Alamos Field Office ECP Hotline (505) 664-0837, <u>Los Alamos ECP@nnsa.doe.gov</u>
- <u>P793, Employee Concerns</u>



Organizational Conflicts of Interest

As employees, we must recognize our responsibility to avoid creating any Organizational Conflict of Interest (OCI). An OCI may result when factors (other activities or relationships) create an actual or potential conflict of interest.

Appropriately managing OCI requirements is central to Triad's operations. Federal Acquisition Regulation (FAR) Section 9.5 contemplates three situations in which conflicts may arise:

- A "bias" situation in which a contractor has the opportunity to draft specifications or a statement of work for a later procurement, thus creating the possibility that it could skew the competition in its favor.
- An "impaired objectivity" situation in which a contractor has some relationship or interest, such as a share of the proceeds on the sale of a product or an equity or ownership interest, or where the contractor may be called upon to review its own work or the work of a closely related entity.
- An "unequal access to information" situation in which the contractor may gain a competitive edge because of its access to information that is not available to other competitors.

Summary of Policy

P723, *Conflicts of Interest*, provides guidance for employees regarding OCIs. When assessing whether a specific situation creates an OCI, common sense, good judgment, and sound discretion are required in both the decision about whether a significant potential conflict exists and, if it does, whether an appropriate means for avoiding it can be developed. Employees should contact the Office of General Counsel or EA-Ethics for assistance with OCI questions.

Do the Right Thing

- Disclose and resolve any existing situations that potentially create an OCI.
- Notify the applicable Acquisition Services Management (ASM) Division procurement specialist of any OCI concern related to a proposed or existing purchase requisition.

Common Questions:

Q: What types of circumstances should I be aware of in regards to a potential OCI?

A: Some questions to ask yourself include the following:

- Will the subcontractor have conflicting roles that might bias the subcontractor's judgment in its work for the Laboratory?
- Did something take place in the past that will give the potential subcontractor an unfair competitive advantage in the current subcontract?
- Will performance of the current subcontract result in the offeror having an unfair competitive advantage in a future subcontract?

Note: There are also OCI requirements in regards to interactions with parent company representatives. See P723, Conflicts of Interest, for more information.

- P723, Conflicts of Interest
- EA-Ethics Conflict of Interest
- EA-Ethics (505) 667-7506 or <u>coi@lanl.gov</u>
- <u>General Counsel</u> (505) 667-3376













Outside Activities

Our lives outside of LANL are filled with activities, both professional and personal in nature, and it is important for you to know your responsibilities for these activities.

Staff must be free of any influence, interest, or relationship that conflicts, or could conflict, with the best interests of Triad, the Laboratory, the government, or other Laboratory sponsors, could cause embarrassment or public criticism of Triad or LANL, or could interfere with staff's ability to perform his or her job duties. When considering an outside activity, one must consider the following principles:

- Laboratory employees may not have a compensated or uncompensated employment or professional relationship in another organization or business, including a sole proprietorship, without a prior written approval from LANL. This permission is provided through the Outside Activity Request System..
- When approving these requests, the Committee on Conflicts of Interest Related to Outside Activities (COI Committee) will ensure the activity does not interfere with the proper and effective performance of the employee's Laboratory position and will consider the criteria in P723, *Conflicts of Interest*, Section 3.3.2, "Outside Activity Requirements."

Summary of Policy

An outside activity is a professional or business activity conducted outside the normal course and scope of an employee's Laboratory job that may or may not involve compensation. While not all outside activities require the filing of an Outside Activity Request (Request), each employee must inform his or her manager in writing of all outside activities. P723 Conflicts of Interest, gives both guidance, by category, regarding when an outside activity requires the employee to file a Request and requirements related to all outside activities.

- Inform your manager in writing (to include email) of all outside activities.
- Be aware of potential conflict of interest (COI) situations and contact your manager and/or EA-Ethics with any questions or concerns.
- Avoid any outside activity that interferes with the proper and effective performance of the duties of your LANL position.
- Ensure all outside activities are conducted on your own time and away from LANL property. Remember incidental use of government property or resources is not allowed for outside activities.
- Avoid any outside activity that directly competes with the LANL mission. In some cases this may be a project that you work directly on or work conducted by another Division or Group.
- Do not engage in outside activities that put you in violation of P723, Conflict of Interest.

Q: How do I know if I need to complete a Request for my outside activity?

A: Generally, if the outside activity meets any of the following criteria (with a few exceptions), a Request is required:

- Your role is as an owner, executive, officer, manager or similar position (includes consulting);
- Your role in the outside activity is related to your Laboratory position and/or duties;
- The activity is related to Laboratory mission; or
- The outside organization has a business agreement with Triad or the U.S. Government.

Visit the EA-Ethics website to use the Outside Activity Decision Tool or call or email EA-Ethics for advice.

Q: I am a Laboratory researcher and have been asked to perform similar research for my alma mater, either using leave or during my free time. Do I need to complete a Request?

A: Yes. This type of outside activity requires review and approval by your managers and by the COI Committee.

Q: I am publishing a chapter in a textbook on material that is directly related to my research activities here at LANL. I have notified and received permission from my management, and they have informed me that the publishing falls within the scope of my LANL duties. Do I need to complete a Request?

A: No. Any activities (including publishing) that are included in the employee's job duties do not require a Request. However, this activity does require compliance with P635, Writing for Outside Publication.

Q: My husband and I are both Triad employees, and we own a residential rental property that we may rent to other Triad employees. Do I need a Request? Does he?

A: A rental property requires submission of a Request when

- The rental property is rented to Triad or a Triad subcontractor or
- The employee has created a legal entity to manage the rental property.

In this case, you are both required to submit a Request as you are both owners of the residential property LLC. Please note that managers may not rent to employees who report to them in any manner. This would include mentors renting to students.

Q: I am a fitness instructor at the YMCA. I have been asked to create and print 500 flyers to promote a new fitness class. It would be easier for me to do this at my office since I have a color copier and all the supplies I need to make the flyers. Is this allowed?

A: No. Triad/LANL property cannot be used in any manner in connection with any outside activity. This prohibition on use includes things like computers, email, telephones (office and cell), copiers, and office supplies.

- P723, Conflicts of Interest
- <u>EA-Ethics</u> (505) 667-7506 or <u>coi@lanl.gov</u>
- Outside Activity Request System (OARS)



Personal Conflicts of Interest

As employees, we must recognize our responsibility to avoid any conflict between personal interests and those of Triad. A COI occurs when an employee's personal interests interfere, or appear to interfere, with your LANL duties. Employees' decisions must be governed by sound judgment and objectivity on behalf of Triad, free from the influence of personal interests. Even the appearance of a COI can be harmful to the Laboratory's reputation. We have a duty to avoid situations that could cause someone to question our judgment or objectivity and an obligation to disclose potential conflicts in every aspect of our jobs no matter how insignificant these potential conflicts may appear.

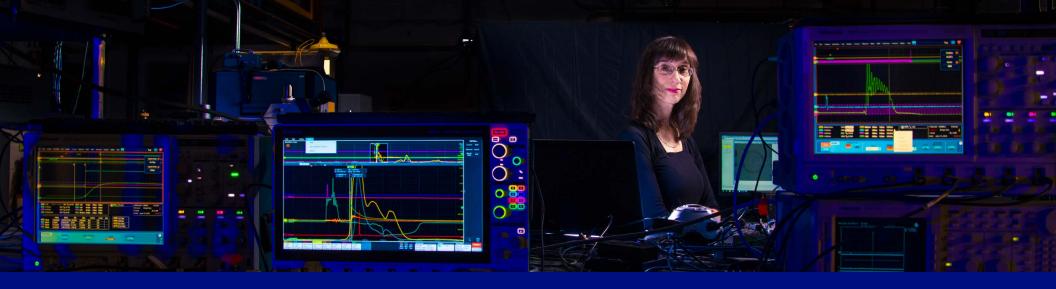
Summary of Policy

All employees are required to complete a COI certificate every two years to disclose any situation that may lead to a conflict of interest. Employees are also required to report any changes in previously disclosed information. If employees find themselves in a personal conflict of interest situation, they are required to notify their manager and/or EA-Ethics and refrain from making or attempting to influence any Laboratory decisions that may materially affect their outside interests until either the conflict is resolved or they are disqualified from participation in the matter.

Common COI situations that should always be disclosed and are addressed in policy include:

- Close personal relationships
- Triad employees participating in outside employment or other professional or business ventures;
- · hiring or supervising family members or relatives;
- having financial interest in a Triad competitor, supplier, contractor, or collaborator; or
- accepting gifts, discounts, favors, or services from a current or potential Triad customer, competitor, supplier, or collaborator when that benefit is not equally available to all Triad employees.

- Disclose and resolve any existing situations that potentially create a conflict of interest or the appearance of a conflict.
- Do not allow your personal relationships with contractors and suppliers to create a situation where someone may perceive such relationship inappropriately influenced business decisions.
- Avoid situations where personal, social, financial, near relatives, or political activities interfere with or could be perceived as potentially interfering with your objectivity and/or duty to Triad.



Q: My sister works for a company that provides construction material removal and disposal. They are bidding for work here at LANL. I work for the team in charge of selecting vendors for this work. Is this a conflict?

A: Yes, this is a potential conflict. Disclose it to your manager immediately, update your COI Certificate, and remove yourself from the decision-making process.

Q: Who should I contact to find out if I have a personal COI?

A: You should consult with your manager and/or EA-Ethics to obtain assistance in determining whether a particular circumstance constitutes, or creates the perception of, a conflict of interest.

Q: I have been asked to participate on a hiring committee for my division. I realized as I was reviewing the resumes of the candidates to be interviewed that my niece is among the interviewees. She is well qualified for the job, which is why she was chosen to be interviewed. Is this a conflict since I did not participate in the resume reviews to determine who would get interviewed? Who should I report this relationship to?

A: Yes, this is a personal conflict of interest. You should report the relationship to your manager and HR Generalist and recuse yourself from the hiring committee.

- P723, Conflicts of Interest
- EA-Ethics Conflict of Interest
- EA-Ethics (505) 667-7506 or <u>coi@lanl.gov</u>









Responsible Conduct in Research

Scientific excellence is a foundational element of Triad's mission at Los Alamos National Laboratory that depends upon objective, honest observation, analysis, and reporting. We must perform our work with integrity in accordance with the highest ethical and professional standards.

Research is the heart of LANL. The research we conduct at LANL is not only beneficial to the scientific community but to the world at large with the potential to affect the everyday lives of people across the globe. It is imperative that this research also upholds the ethical principles of research. Triad will not tolerate research misconduct of any kind including but not limited to:

- Fabrication Making up data or results and recording or reporting them.
- Falsification Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- **Plagiarism** The appropriation of another person's ideas, processes, results or works without giving appropriate credit.

Summary of Policy

As noted by the National Academies, the foundation of the R&D enterprise is trust: both trust that the results reported by others are valid and trust that the results reflect an honest and unbiased attempt to describe nature.

Therefore, LANL seeks to foster and maintain the highest ethical standards in R&D. All workers conducting or managing R&D are expected to ensure the highest degree of intellectual honesty and integrity in planning, conducting, reporting, and reviewing R&D. Scientific misconduct is prohibited.

Personal values, assumptions, and beliefs can motivate or influence researchers. These influences can be positive, as in the widespread dedication of LANL personnel to science in the national interest. However, values, assumptions, and beliefs can also be an unintended source of bias in the interpretation or performance of R&D. LANL R&D workers are expected to strive to make and report unbiased observations.

LANL encourages intellectual freedom, consistent with job descriptions and assigned duties, and as tempered by contractual, programmatic, and legal requirements (such as, but not limited to, classification and intellectual property requirements).

- Review and follow all policies regarding the proposal, approval, conduct, and reporting of research.
- Recognize the responsibility common to engineers, scientists, and other professionals of maintaining public confidence by seeking and stating the truth as you understand it.
- Exercise intellectual honesty, discipline, adherence to professional ethics, and good judgment in extending the boundaries of knowledge and in transmitting and applying new information.

"There must be no barrier to freedom of inquiry. There is no place for dogma in science. The scientist is free, and must be free to ask any question, to doubt any assertion, to seek for any evidence, to correct any errors."— J. Robert Oppenheimer

- Report apparent instances of scientific misconduct in good faith and without malicious intent to division-level management or the Employee Concerns Program (ECP).
- Avoid possible misconduct related to research including, but not limited to, fabrication, falsification and plagiarism.
- Avoid situations that could lead to conflicts. Avoid any relationship or activity that could influence or appear to influence your ability to protect research participants or compromise the validity of research results.
- Do not state your personal opinion without clearly separating it from the Laboratory's official position.

Common Questions:

Q: What is research misconduct?

A: RA: Research misconduct (formerly called scientific misconduct) is a narrowly defined set of actions that call into question the scientific integrity of a body of work. Research misconduct may include, but is not limited to, fabrication, falsification, or plagiarism in proposing, performing or reviewing research, or in reporting research results. "Research misconduct does not include honest error or differences of opinion" (42 C.F.R. Part 93).

Q: Are there guidelines for how to maintain results?

A: Yes. The results of research should be recorded and maintained in a manner that allows analysis and review. Research data should be maintained so that it is retrievable and reasonably protected against loss, using a graded approach. Following publication, the data should be retained for a reasonable period in order to be available promptly and completely to responsible researchers. Exceptions may be appropriate in certain circumstances in order to preserve privacy, to assure patent protection, or for similar reasons.

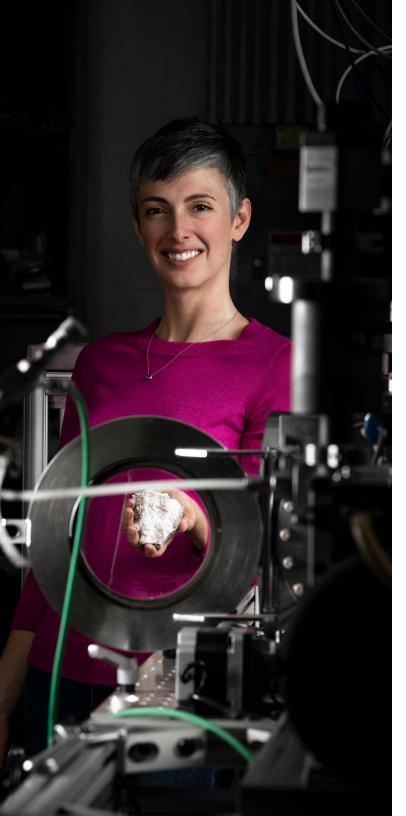
Fabrication of data or selective reporting of data with the intent to mislead or deceive is prohibited, as is the theft of data or research results from others.

Q: How do I determine if I am required to share information or credit others for my work?

A: Consider the following:

- 1. If you are using/reusing data that you collected from other sources, make sure the data does not have a license agreement that prevents you from sharing the data.
- 2. You may need to restrict some data based on restrictions you agreed to when receiving data from a third party
- 3. The federal government receives a non-exclusive royalty-free license for government purposes to copyrighted works and data created under federal awards. (2 CFR 15)

- SD601, Conduct of Research and Development
- P634, Integrity in Research
- P633, Intellectual Freedom
- PD801, Ethics Program
- P613-1, Research Involving Human Subjects
- P613-2, Institutional Animal Care and Use
- P101-15, Biological Safety
- Human Subjects Research Review Board (HSRRB)
- Institutional Animal Care and Use Committee (IACUC)
- Institutional Biosafety Committee (IBC) / Biosafety
- Employee Concerns Program 24-Hour Hotline (844) 537-9524



Proprietary and Technical Data

We must all work to protect Triad's and the Laboratory's proprietary, controlled, or sensitive information by marking information with appropriate restrictive legends and storing and distributing such information appropriately. If you have access to information about other LANL employees or personally identifiable information of other individuals, this information should be protected in accordance with P204-1, *Controlled Unclassified Information*.

If you have knowledge of third-party proprietary information, you should ensure that the thirdparty proprietary information is not brought into LANL or used by LANL without the third party's authorization. Questions regarding the status of third-party information should be directed to General Counsel.

Summary of Policy

Employees may not use or disclose proprietary technical data or privileged information obtained through Triad employment for personal purposes, to gain an unfair advantage in the purchase of goods or services, or for any unauthorized activity. This requirement is ongoing and generally continues even after an employee leaves the Laboratory. This information includes the following:

- Unpublished information relating to technological and scientific developments.
- Planned or proposed changes in program, organization, funding, or personnel assignments.
- Research and engineering data, engineering drawings and associated lists, specifications, standards, technical reports, and related information.
- · Information about patents or other intellectual property.
- Subcontractor and supplier bids or proposals.
- Anticipated materials requirements or pricing action.
- Knowledge about potential subcontract awards before the official announcement is made.
- Data or information that is classified as "Official Use Only," "Triad National Security, LLC, Contractor Owned and Proprietary Information," "Cooperative Research and Development Agreement (CRADA) Protected Information," or is otherwise marked as in confidence, privileged, proprietary, and/or sensitive.
- Data or information (including software and/or data models) that has been obtained from a third party engaged in a CRADA, Work for Others (WFO), or other technology transfer activity.

- Comply with any applicable nondisclosure agreements.
- Never use company, customer, supplier, or employee proprietary or privileged information other than for its intended business purpose.
- Do not accept proprietary or privileged information you are not authorized to receive and notify your supervisor or manager if you are requested to do so.



Q: I received a report marked "Official Use Only (OUO)" and want to share it with one of my co-workers. Is this allowed?

A: Any worker who has been granted access to matter containing Controlled Unclassified Information, which would include OUO, must determine another worker's need-to-know before granting access. If you are unsure if they have a need-to-know, discuss with your manager.

Q: What is PII and what are the rules for handling it?

A: Personally Identifiable Information (PII) is any information about an individual like Social Security Numbers, place and date of birth, mother's maiden name, employment information, health information, and biometric records that if not protected adequately, could be used to compromise the identity of or otherwise harm an individual. Like OUO, PII must only be shared with others with a need-to-know for an official business purpose. Any email messages containing PII that leave the Laboratory must be encrypted through approved methods (i.e., Entrust, password protection). Any machine used off site that is not approved for PII processing is not allowed to have PII data on it. LANL is required to report the potential loss or compromise of PII immediately. If you suspect that PII has been lost, compromised, or improperly disclosed, report the suspected loss of PII to the Computer Security Incident Response Team (CSIRT) or the Security Incident Team (SIT). Questions regarding PII should be sent to Information Security Help or to the LANL Privacy Officer at privacy@lanl.gov.

Q: How will I know what information is privileged?

A: If it is unclear whether certain information is privileged, the best approach is to ask the originator of the information and contact the Office of General Counsel at (505) 667-3766.

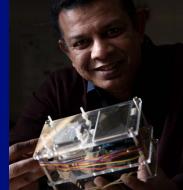
- If you receive information that is not marked but you believe it may be proprietary, bring it to the attention of the person who gave it to you and follow up if necessary to make sure the information is properly marked and protected.
- Do not send sensitive data to unattended printers.
- Avoid discussions of proprietary or privileged information in places where others without a need-to-know might be able to overhear such as in elevators, on planes, or at conferences.
- Consider the scope of intended release of technical and scientific information (proprietary and non-proprietary) and follow the appropriate procedure.

- P204-1, Controlled Unclassified Information
- P225, Protecting Electronic Controlled Unclassified Information (CUI)
- PD1002, Laboratory Privacy Program
- PD1022, Review and Release of Scientific and Technical Information
- Computer Security Incident Response Team (CSIRT) (505) 665-8641
- Security Incident Team (SIT) (505) 665-3505
- Information Security Help cybersecurity@lanl.gov
- LANL Privacy Officer <u>privacy@lanl.gov</u>
- Office of General Counsel (505) 667-3766













Protection of Intellectual Property

The Laboratory's ability to apply the results of its own scientific research and to effectively meet its Congressionally-mandated technology transfer mission depends upon appropriate intellectual property (IP) management. The term "intellectual property" refers to creations of the mind and includes the ideas, inventions, know-how, designs, software, copyrights, patents, software apps and all other proprietary information made for Triad or made by Triad employees. Legally protectable IP generally includes patents, copyrights, trademarks, and trade secrets.

Summary of Policy

We all have an obligation to report to the Electronic Invention Disclosure Reporting (eIDR) any inventions or copyrightable works developed during our employment by Triad and to support the Laboratory's efforts to protect such intellectual property. We must also respect the IP laws and the IP rights of others by complying with the conditions of license agreements entered into by Triad and by using only authorized and properly licensed copies of software. This includes not only those copies of software we purchase or license but also those we download from open source repositories. Requirements for protecting and managing Intellectual Property are found in P831, Intellectual Property Management.

- Report all inventions, whether created at the Laboratory or otherwise, and all copyrightable works (e.g., computer software), whether created at the Laboratory or otherwise, through the online eIDR. Cryptocard required for access.
- Do not violate the IP rights of third parties obtained via purchase or license, or downloads from open source repositories like GitHub or otherwise.
- Do not use your software from previous assignments on Triad systems or Triad projects without concurrence from the sponsor who funded those projects. If you need assistance obtaining this concurrence, contact the Feynman Center for Innovation (FCI-DO).





Q: I found a picture online from another organization I think would look great on our division website. Since it's available online, I don't need permission to use it, right?

A: No, that's not right. Using the photo without permission may infringe the copyright and other IP rights of others. You should always get permission from the creator/owner of the photo before using pictures from the internet.

Q: How is a patent different from a copyright?

A: Both are forms of intellectual property protected under U.S. and international law. Patents protect inventions, i.e., the functional aspects of an idea. Copyrights protect original works of authorship, i.e., the expression of an idea. Sometimes, the protections overlap: a patent may protect the functional aspects of certain software, while a copyright may protect the specific expression of the source code and the graphics of the same software.

Q: Do I need permission to distribute my code outside of LANL?

A: Yes, you are required to disclose your software through eIDR prior to releasing your software outside of LANL. If you intend to release your software to non-U.S. citizens, a customs review may also be required, depending on the intended recipient(s). A final classification review of all software leaving LANL is required.

Q: Do I need permission to release software I have developed for Triad that is intended to be part of a pre-existing open source repository not owned by Triad?

A: Yes. Just like with any software intended for release outside LANL, software intended for contribution to a third-party-owned open source software repository requires disclosure. This process will ensure any requirements associated with that pre-existing repository may be identified to ensure Triad can comply.

- P831, Intellectual Property Management
- Feynman Center for Innovation
- Intellectual Property team <u>fci-ip@lanl.gov</u>
- General Counsel-Intellectual Property Practice Group <u>ip-advice@lanl.gov</u>
- <u>Electronic Invention Disclosure Reporting</u>



Export Control

Export controls are designed to protect items and information critical to maintaining national security and foreign policy interests for the United States. Export controls apply to activities ranging from discussions with foreign nationals to the transfer of equipment. As a National Laboratory with a critical national security mission and important international collaborations, it is imperative that LANL is a responsible exporter.

Summary of Policy

Many countries, including the United States, impose restrictions on exports and other dealings with certain countries, entities, and individuals, including foreign nationals. Export controls are based on government rules and regulations that govern the transfer of both unclassified and classified commodities, technologies, and software to non-U.S. entities or individuals. LANL management is committed to adhering to all applicable U.S. export rules and regulations and obtaining necessary licenses or approvals. Please contact the Export Control Team with any questions.

Do the Right Thing

- Complete required annual training on Laboratory requirements and procedures regarding export control.
- · Comply with all Laboratory requirements and procedures regarding export control.
- Be aware of which countries are subject to embargoes and sanctions. The list is subject to change so you should consult the list of embargoed countries on the Export Control website.

Life on Mars? Did you know that the SEC-PPO Export Control Office was responsible for authorizing the LANL-led SuperCam instrument's foreign collaboration? SuperCam is a product of a United States-France partnership, along with support from Spain. This collaboration required U.S. export licensing, and when Roger Wiens, LANL's Principal Investigator, and Scott Robinson, SuperCam Project Manager, asked for our help, we responded. The result? Timely, successful export licensing that provided the path forward for SuperCam's international design, build, and testing integration.



Q: I submitted a document to the Review and Approval System for Scientific and Technical Information (RASSTI) for review. Do I also need Export Control review?

A: Yes. Export Control review is required for all presentations and publications. Your responsible line manager (RLM) must verify the absence of controlled information in RASSTI submittals in coordination with the Export Control team, who may be contacted at 665-2194 and export@lanl.gov.

Q: Who is a foreign national for the purposes of the U.S. export control laws?

A: Any person who is not a citizen of the United States, a permanent resident alien of the United States, or a protected individual as defined by 8 U.S.C. 1324b(a)(3).

Q: What is considered "exporting"?

A: An export is the transfer or transmission of any commodity (material, item, equipment or hardware), controlled technology (technical data or information), or controlled software (commercial or custom-made) to any non-U.S. person or entity inside or outside of the U.S. by any means (direct-hand over, shipment, visual, or verbal transfer).

- P805, Export Control
- Embargoed Countries List
- Export-Import Guide
- Export Control Office (505) 665-2194, export@lanl.gov



Government Personal Property

In order to conduct our work here at LANL, we may use equipment such as computers, LANLissued cell phones, power tools, hand tools, precious metals, and government vehicles. Government Personal Property is all equipment and materials belonging to the U.S. government but does not include real property (land or buildings), records, or special nuclear materials. In addition, LANL has stewardship responsibilities for government and sponsor property. All employees must use government personal property to further LANL's mission, for official use only, handle with care, and protect from loss, theft, fraud, and misuse. You should not have an expectation of privacy when using any such resources, including LANL systems used for email, network, internet, and telephone communications. Incidental personal use of LANL property, equipment, facilities, and resources is permitted; use greater than incidental is allowed only with specific prior management approval and only for appropriate use. Any permitted personal use must be on your personal time.

Summary of Policy

By managing assets across the facility, we improve utilization and performance, reduce capital costs, reduce asset-related operating costs, extend asset life, and subsequently improve ROA (return on assets). Employees and contractors working for the Laboratory are assigned U.S. Government property to use at their workplace for official purposes only; upon assignment, they become custodians of that property. Custodians must sign an accountability statement for the U.S. Government property assigned to them; by doing so, they agree to exercise "the same degree of care that a reasonable prudent person would use to protect his or her property from loss or damage, including misuses and misappropriation." See P821, *Government Personal Property*, for detailed guidance.

- Protect all government property assigned to you.
- Ensure that your Property Accountability Statement is accurate.
- Review and accept your Barcoded Property Holdings Report at least once a year and every time barcoded government personal property is assigned or transferred to you. Notify sunflowerissues@lanl.gov if your personal property information is not correct.
- If you transport property (e.g., laptop for telework purposes), make sure you have completed a Property Transport Request (PTR) Form 237-R through your organization's deployed property specialist or attach a copy of your approved PTR and send to propertyspecialists@lanl.gov.
- Ensure that incidental use of government personal property:
 - Is not the primary use of the government personal property.
 - Does not add incremental cost to the government.
 - Does not directly or indirectly interfere with Laboratory work.
 - Does not interfere with the worker's obligation to the Laboratory.
 - Is not otherwise prohibited as an unacceptable use.
- Adhere to the appropriate use of equipment or systems as required by applicable federal, state, or local laws and regulations.
- Properly report all government property that is lost, damaged, destroyed, or stolen.

Q: I recently was given approval by the COI Committee to participate on the Family YMCA's board as the board secretary. Part of my duties is to create the meeting notes. Can I work on the notes using my LANL computer and print and email them to other board members?

A: No, you may not use any LANL resources (phones, computers, internet, time & effort) in any way for your outside activity. Per P723, Conflicts of Interest, Section 3.3.2, "Outside Activity Requirements," "Full- or part-time employees may engage in employment or other outside activities as long as the employee has notified his or her manager in writing, a Request has been approved when required, and the following criteria are met: The employee conducts the activity on his or her own time and away from Laboratory property" and "The employee does not use Laboratory equipment, facilities, or other resources." Employees must confirm the following when they submit a Request: "The incidental personal use of government equipment does not apply to outside activities." Unauthorized use of government property can result in disciplinary actions up to and including termination.

Q: I recently moved to a new office at a new building and brought all my assigned property with me. Is there anything I need to do?

A: Yes. You must notify your organization's deployed Property Specialist prior to moving barcoded property to a new location. Email your Property Specialist and ensure that your property statement in Sunflower accurately reflects the location of your barcoded property. Not sure who your property specialist is? Go to the Property Management Homepage, and click on, "Find My Property Specialist," from "Quick Links."

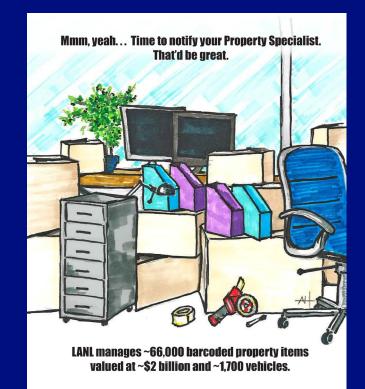
Q: On a recent work trip to the Nevada Operations Office, my government vehicle was broken into and my laptop was stolen. What do I do?

A: Immediately email <u>loststolen@lanl.gov</u>, notify the Security Inquiry Team, your manager, your Property Specialist, and contact local law enforcement to file a police report of the incident. You will be required to complete a Form 1877. In addition, notify Fleet Management at fleet@lanl.gov if your government vehicle is damaged.

Q: We are having a birthday party for our coworker during our lunch break. Can we use our government vehicle to pick up the cake for the party?

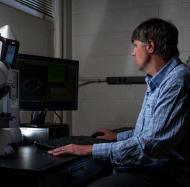
A: No. You can only use a government vehicle for official use or Laboratory sponsored events. If you are unsure if your event is Laboratory sponsored or if your activity is in alignment with official use, please discuss with your manager or contact Fleet Management for guidance. In addition, special approvals are required before a government vehicle can be taken off site.

- P821, Government Personal Property
- P723, Conflicts of Interest
- Property Management
- Property Accountability Statement
- <u>Missing Property-loststolen@lanl.gov</u>
- Property Specialist search

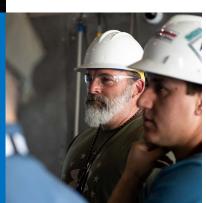












Accurate Reporting

Every one of us, regardless of our position at LANL, must ensure the information we report and record about our work here is accurate and complete. The records we create and maintain are important assets too. Always be honest and accurate in what you record and follow record keeping requirements associated with your job.

Summary of Policy

All information cited in records and reports (financial, business, employment, benefits, etc.) must be as accurate and complete as possible. Dishonest reporting includes conveying or organizing information in a way that is intended to mislead or misinform those who receive it. Providing false or misleading information can lead to discipline, up to and including termination. It can also lead to civil or criminal liability to you and Triad.

LANL is committed to preventing fraud from occurring in any reporting. Fraud is defined as wrongful or criminal deception intended to result in financial or personal gain. LANL will not tolerate fraud, impropriety, or dishonesty and will investigate all reported instances of this conduct by LANL employees or subcontractors. Every employee should be alert to the possibility that unusual events or transactions could be symptoms of fraud or attempted fraud. If you suspect that fraud may be occurring, you should contact your manager or the Employee Concerns Program to report the situation.

Time Recording

The primary cost to the government and sponsors of our work is the direct labor of our employees. Therefore, we all must accurately record the time we work. You should not charge an incorrect time code (e.g., time worked versus vacation), amount of time worked, account or cost objective, or shift costs or approve such mischarging. By submitting your timecard, you are certifying that your time is being charged in accordance with LANL's time charging policies and procedures. Managers are responsible for reviewing and approving the time charges made by employees. Questions regarding time recording procedures or the proper account or cost objective for a specific activity should be discussed with your manager.

Travel and Other Expenses/Costs

We must properly document and charge applicable expenses, purchases, facilities charges, and equipment usage rates to the correct account or cost objective for which they were incurred. LANL only reimburses authorized, reasonable, and actual expenses incurred and the Federal Travel Regulations (FTR) meal per diem while conducting business on behalf of the Laboratory. Employees are responsible for ensuring that travel, hotel, meal, and other business expenses are consistent with LANL policies on reimbursement. False, inflated, or misidentified costs (such as charges for alcohol reported as other types of allowable cost) submitted for reimbursement are in violation of LANL policy. Questions regarding the appropriateness of a business expense should be directed to your manager.



Q: There is someone in our group who frequently travels to Nevada for project work. I believe they are reporting and being reimbursed for personal vehicle mileage when they are actually using a government vehicle for travel. What should I do?

A: You should discuss this with your manager and share your concerns. Do not investigate the situation yourself. You may also contact the Employee Concerns 24-Hour Hotline or website (<u>www.ethicspoint.lanl.gov</u>, (844) 537-9524), Human Resources-Employee Relations, EA-Ethics, or other applicable office listed on the employee resources page.

Q: When is my timecard due?

A: Your timecard should be submitted on your last working day of each week. This allows your manager time to approve before the approval deadline on Monday morning. If you are not able to submit time yourself, you can request that your timekeeper submit it on your behalf.

There is a difference between the deadline for submitting time and the approval deadlines, which are typically the following Monday at 10 a.m. Time should be submitted by the employee or timekeeper on the employee's last work day, which would never be later than Sunday. Metrics are kept on time submittal and time submitted after midnight on Sunday is considered late.

Do the Right Thing

- Accurately and honestly report information in all business reports and records including time and effort, travel, procurement, hiring documentation, and audits.
- Do not mislead or misinform others by supplying inaccurate information in business records.
- Do not sign off on test results (e.g., performance or material certification tests) when the test was not actually conducted.

Additional Resources:

- <u>CNTL-Payroll</u>
- <u>CNTL-Travel</u>
- P765, Employee Time and Labor



Craft payroll enters and processes about **14K lines** of timecard data per week on normal weeks.



Oracle payroll processes approximately **116K lines** of timecard data per week.



That amounts to **6,760,000 lines** of timecard data processed annually here at the Lab!!



Gifts and Gratuities

We never accept anything of value that may create a conflict of interest or suggest something improper. Seek guidance from EA-Ethics if you are not sure about what is acceptable when it comes to giving or receiving gifts.

None of us should offer, give, solicit, or accept a bribe or kickback. Likewise, we may not solicit any gift or gratuity (i.e., anything of value) from a person or organization related to Triad or the Laboratory. Employees may, however, accept unsolicited nominal-valued gifts and ordinary business courtesies from those with whom Triad does business. Employees should take special care and review LANL's applicable policies and procedures when giving or offering anything of value to federal or state government employees as special rules apply.

Questions regarding gifts or gratuities should be directed to EA-Ethics or Office of the General Counsel.

Summary of Policy

P722, *Gifts and Gratuities*, provides guidance on the acceptance of gifts and gratuities and establishes safeguards against the acceptance or offering of kickbacks. The Laboratory is committed to conducting business transactions that are free from even the perception that favorable treatment was sought or received as the result of a gift, gratuity, entertainment, business courtesy, or similar transaction.

- Know the difference between what is acceptable and what is not by reviewing P722, and/or contacting EA-Ethics for guidance.
- Raise a concern if you suspect that a colleague, third party, or other Triad representative may be engaged in any attempt to improperly influence a procurement decision of a vendor or customer. You may report your concerns to your manager, EA-Ethics, or the Employee Concerns Program 24-Hour Hotline.
- Cooperate with investigations into possible kickback violations or the improper acceptance of gifts and gratuities.
- Do not accept a gift or gratuity that might be given to influence you or as a condition for something in return, such as a bribe, kickback, or payoff.
- Do not accept cash, including gift cards.

I recently attended a webinar hosted by an organization widely regarded as the expert on spectroelectrochemistry. There were other individuals from industry and other national labs in attendance. I completed a survey at the end of the webinar and was automatically entered into a random drawing for a \$100 Amazon gift card, which I won. Can I accept the gift card?

A: In situations where it is a widely attended gathering, such as a national conference, not targeted specifically to LANL, Laboratory employees are allowed to accept door prizes (even those above nominal value). However, per P722, the acceptance of gift cards is never allowed, so the \$100 gift card could not be accepted.

Q: I am a project manager at the Laboratory and I work very closely with a vendor to obtain appropriate software and supplies. The vendor recently gave me a Montblanc pen with a market value of \$150. Can I keep it?

A: No. If you receive a gift of more than nominal value (\$20), you may not accept the gift. You are required by LANL policy to either return the pen with a written note to the vendor that acceptance is prohibited by Laboratory policy or you may choose to keep the pen and pay the vendor the fair market value of the pen (along with a note explaining that the gift would be prohibited by Laboratory policy).

Q: What are the items I can accept?

A: LANL policy on gifts and gratuities allows employees to accept certain items, including:

- Nominal-value meals on infrequent occasions required for completion of a business meeting or related event. The meal should be incidental to the meeting or event.
- Unsolicited advertising novelties or promotional material of a nominal value, such as pens, coffee mugs, hats, or calendars; or informational material such as books, reports, pamphlets, or periodicals.
- Modest entertainment, such as soft drinks, coffee, and doughnuts, in connection with attendance at widely-attended gatherings sponsored by commercial firms, professional societies, or persons with whom the Laboratory does business.
- Transportation in customary form on official business.
- Perishable food items such as tins of popcorn, boxes of candy, or cookies should be graciously discouraged, but need not be returned if they are of nominal value and can be shared by a group, division, or directorate.
- Employees do not have to seek approval for awards or prizes that are clearly offered because of an employee's outside activities, are not related to Laboratory activities/duties, and cannot be perceived by others as related to Laboratory activities/duties.

Additional Resources:

- P722, Gifts and Gratuities
- EA-Ethics Conflict of Interest
- Decision Tool for Gifts
- EA-Ethics 7-7506 or <u>coi@lanl.gov</u>
- Employee Concerns Program 24-Hour Hotline (844) 537-9524
- General Counsel (505) 667-3376

Before accepting any business courtesy or gift, ask yourself the following questions:

- Is the gift or entertainment modest or infrequent or could it make you feel obligated to the donor?
- Are you trying to justify accepting the gift or entertainment because you really want it?
- Are you reluctant to ask your manager if it is OK to accept the gift?
- Would you be willing to write a "Thank You" note for this gift and send a copy to the Laboratory director?



Political Activities

LANL respects employee rights to voluntarily participate in the political process and encourages employees to foster active responsible citizenship. Such activities may include civic projects, participating in public-issue campaigns, and making personal political contributions. Employees are to engage in personal political activities on their own time and using their own resources. It is also important that employees make it clear that their personal views and actions are not those of Triad.

Lobbying activity covers a broad range of formal and informal contacts and communications at the Federal, state and local government level. Triad is subject to prohibitions on using appropriated funds to conduct any lobbying activities, and Triad and its subcontractors are prohibited from charging the government for the costs of influencing or attempting to influence any elected or government official in connection with contract, grant, or cooperative agreement actions.

LANL staff may have routine interactions with federal agencies unrelated to a specific solicitation or funding opportunity. When it is not related to a specific solicitation, it is permissible to have discussions regarding the qualities, characteristics, and capabilities of the Laboratory's products or services, or the terms and conditions of sale, and technical discussions and other activities regarding the application or adaptation of Triad's products or services. If conducted prior to a formal solicitation, it is acceptable to provide unsolicited information necessary for an agency to make an informed decision about the initiation of a contract action and to have technical discussions regarding the preparation of an unsolicited proposal prior to submission.

Summary of Policy

LANL neither encourages nor discourages employee discussion of political beliefs or participation in political activities. A Laboratory worker who communicates with an elected official on Laboratory time using Laboratory resources must clear such communication in advance with his or her Associate Laboratory Director and Communications and External Affairs-Government Affairs (CEA-GA). P725, *Political Activities and Interactions with Elected Officials*, describes political activities that are allowed and prohibited for Triad employees.

- Gain appropriate approvals for communicating with elected officials when using Laboratory time and resources.
- Report any activity that violates LANL policy regarding political activities
- Avoid the appearance of representing the Laboratory when communicating with elected officials without prior authorization.
- Do not lobby or engage in campaigning activities on Laboratory-operated property or in any Laboratory-occupied building.
- Do not use Laboratory equipment and/or resources including photographs, tapes, duplications services, mail services, and bulletin boards for political purposes.



Q: What types of political activities may employees engage in on LANL property and what is not allowed?

A: Employees may discuss political views within the guidelines of P721-1, Respectful Workplace and Prohibition Against Harassment.

Employees are prohibited from campaigning. This includes:

- engaging in any overt display or demonstration on Laboratory property that has the effect of political campaigning, including wearing campaign buttons, hats, shirts, or other apparel on Laboratory-owned or Laboratory-leased property for such purposes.
- displaying or parking a campaign mobile on Laboratory property. A campaign mobile is any
 vehicle that has been modified with the intention to convert the vehicle into a mobile campaign
 advertisement including the display of a large campaign sign or billboard or vehicles covered
 by a graphic vehicle wrap. A traditional bumper sticker would not meet the definition of a
 campaign mobile.

Q: I am volunteering for a political campaign and agreed to draft a campaign brochure since I have graphics software on my LANL computer. Is it OK to use my LANL-issued laptop to create the brochure?

A: No. You may not use LANL resources, including laptops and software, to create material for a political campaign.

Q: What if I get political emails from a candidate on my work email?

A: You should delete the email. It is out of your control if messages are inadvertently sent to your Laboratory email. However, you cannot forward those messages using government resources.

- Communications and External Affairs-Government Affairs (505) 665-5001
- P725, Political Activities and Interactions with Elected Officials
- P721-1, Respectful Workplace and Prohibition against Harassment



Drug-Free Workplace

Triad maintains a workplace free of drug or other substance abuse. Workers are prohibited from illegally manufacturing, distributing, dispensing, possessing, using, or being under the influence of a controlled substance, prescription drugs, or alcohol while on Laboratory premises or conducting Triad business. Triad is committed to fully cooperating with the government on such issues, including compliance with applicable regulations, contract requirements, and the requirements to notify the government of drug-related violations by employees.

Summary of Policy

As a Department of Energy (DOE) site with a national security mission, the Laboratory cannot tolerate illegal activity and must ensure a work environment that is free from unauthorized or illegal use, possession, or distribution of alcohol or controlled substances. Workers who are involved with illegal drugs or other controlled substances, or who abuse alcohol, pose unacceptable risks to safe and efficient operations. Such employee behavior also may undermine public or customer confidence in safe and efficient Laboratory operations.

- Notify OSH-OH if you are taking a legal drug that may affect job performance.
- Provide true and accurate records and information relating to use of drugs and alcohol.
- Notify SEC-PS immediately if you are cited, arrested, or convicted of any alcohol-related incident (e.g., Driving Under the Influence [DUI], Driving While Intoxicated [DWI], public intoxication, open container, minor in possession, etc.) or criminal drug statute violation.
- Report promptly and cooperate with all instructions for random drug testing appointments. A refusal to be tested will be reported and treated as a confirmed positive result.
- Report unusual behavior of a co-worker that may indicate they are under the influence of alcohol or drugs affecting performance to the employee's supervisor, your own supervisor, or Personnel Security.

Q: On April 1, 2022, marijuana became legal under New Mexico State law for adults over 21, for recreational and medicinal use. Am I allowed to use marijuana while employed at LANL?

A: While New Mexico, and several other states, have legalized and allow for the retail purchase of marijuana, it remains a controlled substance under federal law. Therefore, the use or possession of marijuana for either recreational or medicinal purposes is still considered illegal. Marijuana use, in any form, whether at work or on personal time, poses an unacceptable risk to operations and is not allowed per LANL policy.

Q: I am interested in opening a retail marijuana business. Is this allowed under LANL policy?

A: No, this is not allowed. P732, Substance Abuse, Section 3.1.1, "Marijuana," states "Manufacturing, distribution, dispensing, possession, usage, transfer, or sale of marijuana is prohibited under this document whether this occurs at the workplace, at official Laboratory functions, on off-site Laboratory business, on an individual's private time or property, or as part of a business which an individual is an owner."

Q: What is the timetable to show up for a drug testing appointment?

A: If you are called in for a drug test, and you are working remotely and reside in Northern New Mexico, you are expected to be able to make the scheduled appointment within two hours of the time you were notified of the test. If you are working on-site, you will be scheduled accordingly but will not be given a two-hour window to show up. If you have not arrived at the arranged testing site for your appointment, your no-show status will be considered a refusal to test and will be treated as a confirmed-positive test result. Please note that after being notified of the required test, sudden onset of illness will not exempt you from taking the test at the scheduled time.

LANL understands that random drug testing may involve some inconvenience to employees, but this element of unpredictability is required to protect the integrity of the testing process.

Q: I was in Colorado last weekend and stopped at a coffee shop for coffee and a brownie. I realized later that the brownie may have been an "edible." What do I do?

A: The reporting requirements are the same regardless of the specific situation. You should notify your manager immediately and then contact Personnel Security, Drug and Alcohol testing team. Personnel Security will consult with Occupational Health to determine the appropriate course of action.

Additional Resources:

- P732, Substance Abuse
- P102-3, Fitness for Duty
- Employee Assistance Program
- Personnel Security Drug and Alcohol Testing (505) 665-7866

Type Beverage	Typical Serving (oz)	Pure Alcohol Content (oz)
Table Wine	4.0	.48
Light Beer	12.0	.48
Aperitif Liquor	1.5	.38
Champagne	4.0	.48
Vodka	1.0	.50
Whiskey	1.25	.50
0.01–0.05	Average individual appears no	ormal.
(10–50 mg%)		
0.03–0.12* (30–120 mg%)	Mild euphoria, talkativeness, decreased inhibitions, decreased attention, impaired judgment, increased reaction time.	
0.09–0.25 (90–250 mg%)	Emotional instability, loss of critical judgment, impairment of memory and comprehension, decreased sensory response, mild muscular incoordination.	
0.18–0.25 (90–250 mg%)	Confusion, dizziness, exaggerated emotions (anger, fear, grief) impaired visual perception, decreased pain sensation, impaired balance, staggering gait, slurred speech, moderate muscular incoordination.	
0.27–0.40 (270–400 mg%)	Apathy, impaired consciousness, stupor, significantly decreased response to stimulation, severe muscular incoordination, inability to stand or walk, vomiting, incontinence of urine and feces.	
0.35–0.50 (350–500 mg%)	Unconsciousness, depressed or abolished reflexes, abnormal body temperature, coma; possible death from respiratory paralysis (450 mg% or above).	

* Legal limit for motor vehicle operation in most states is 0.08 or 0.10% (80-100 mg of alcohol per dL of blood).



Workplace Free of Sexual Harassment

Sexual harassment is a form of workplace harassment that involves unwelcome sexual advances, requests for sexual favors, unwelcome physical conduct, or other physical, verbal, or non-verbal conduct or visuals of a sexual nature. Sexual harassment humiliates and demeans its victims. Triad is committed to providing a work environment that is free of harassment. Harassment of any type, including sexual harassment and harassment based on race, color, religion, gender, national origin, age, disability, or sexual orientation, or gender identity is strictly prohibited. We all have an affirmative duty to maintain a work environment free of harassment to ensure that all employees are treated with respect and dignity.

Summary of Policy

The Laboratory prohibits all forms of harassment, including sexual harassment, and considers it unacceptable conduct. It is expected that all employees will treat one another with respect. Reports of sexual harassment are taken seriously and will result in prompt corrective and/or disciplinary action for any act that violates policy. LANL has a designated Sexual Harassment Officer (SHO) and a dedicated, confidential phone line for reporting of sexual harassment. Sexual relations between a manager and a subordinate, or a mentor and a mentee, regardless of whether the relationship is consensual is prohibited by the Laboratory.

- Know the Laboratory's requirements and reporting options related to sexual harassment
- Report any instance of harassment, either directly experienced or observed, to the appropriate authority
- Remember that managers are required to report any instances of alleged sexual harassment.
- Avoid situations that violate the law or LANL Sexual Harassment policy
- Do not engage in any behavior, including making statements, displaying visual material, or behaving in any manner that could potentially be construed as sexual harassment.
- Fully cooperate in any investigation of sexual harassment.



Q: My manager has asked me out on several occasions. I would be interested in pursuing a relationship, which could lead to a sexual relationship. Is this allowed?

A: No, the Laboratory prohibits sexual relations between a manager and a subordinate, including mentors and mentees who are participating in a formal Laboratory mentorship program, regardless of whether the relationship constitutes harassment or is consensual. If a prohibited, consensual relationship or encounter takes place, the participants must immediately eliminate the supervisor-subordinate relationship or mentor-mentee relationship. The SHO, who is the HR Division Leader, can assist in eliminating the supervisor-subordinate relationship or mentor-mentee relationship. Self-reporting will be considered a mitigating factor in any resulting disciplinary action.

Q: A supervisor on another team has been making sexually-oriented jokes at work. The supervisor does not tell the jokes directly to me, but I can hear them, and it bothers me. I'm afraid I will lose my job if I report the situation to my supervisor. What should I do?

A: LANL prohibits this behavior and retaliation for reporting the behavior. You should report the behavior to your manager, to any group or higher-level manager, HR-ER, HR generalist, or call the dedicated number to report sexual harassment at 606-8167. You may also report anonymously or confidentially to the Employee Concerns Program (ECP) 24 hour-Hotline at (844) 537-9524 or www.lanl.ethicspoint.com. *Q*: I frequently work with vendors and subcontractors. Recently one of the vendors has started complimenting me on my appearance and asking me to go to lunch. I have told him that I am not interested, but he continues the behavior, and it is making me very uncomfortable.

A: Harassment from third parties is still harassment and should be brought to LANL's attention, the same way as other incidents, by reporting the behavior to the sexual harassment line, your manager, any group or higher-level manager, HR-ER, the SHO, HR generalist, or the ECP program.

- Sexual Harassment Officer (SHO) (505) 667-7011
- Dedicated Anonymous Sexual Harassment reporting line (505) 606-8167
- HR-ER (505) 667-8730
- HR-LR (if craft employee) (505) 664-0972
- Employee Concerns Program 24-Hour Hotline (844) 537-9524
- Employee Concerns Program
- P721, Sexual Harassment



Workplace Environment

LANL employees care about each other and work together to promote a respectful work environment free from harassment and discrimination. Teamwork and inclusion are central to how we work. Behaviors that create an offensive, hostile, or intimidating environment are not tolerated. As part of our commitment to respect and inclusion, Triad provides employment and opportunities for advancement, compensation, training, and growth according to individual merit, without regard to race, color, religion, sex, national origin, sexual orientation, gender identity, marital status, veteran status, age, genetic information, or disability.

Summary of Policy

LANL is committed to a work environment that is safe and supportive and promotes a healthy and diverse workforce. PD712, *Equal Employment Opportunity*, *Affirmative Action*, *and Diversity*, and P721-1, *Respectful Workplace and Prohibition against Harassment*, offer additional information on meeting these commitments.

- Foster a mutually respectful working environment that is free from discrimination, intimidation, and harassment (including sexual harassment).
- Participate in training programs and events designed to enhance understanding and awareness of equal opportunity initiatives and diversity-related issues.
- Promote diversity in hiring and other employment decisions.
- Do not discriminate against others on the basis of any characteristic protected by law or LANL policy.
- Do not engage in behaviors that create an offensive, hostile, or intimidating work environment, including shouting, abusive language, threats of violence, the use of obscenities or other non-verbal expressions of aggression, horseplay such as kicking co-workers' chairs or using personal insults, or the use of offensive nicknames or other derogatory remarks.
- Avoid behavior that a reasonable person would find to be demeaning or humiliating.

Q: My manager is constantly questioning my performance and telling me that I am not performing adequately. Last year I received a poor performance rating, and I am concerned this year will be no better. His constant criticism of my performance is creating a hostile work environment for me. What do I do?

A: Context is important in understanding the difference between acceptable and unacceptable behavior. Individuals may experience stress and discomfort in the workplace that is not related to disrespectful and/or unprofessional behavior. The normal exercise of supervisory or management responsibilities, conducted in a respectful and professional manner, including but not limited to performance reviews, work direction, performance management, attendance oversight, corrective action, and disciplinary action does not necessarily create a hostile work environment. However, if you feel your manager has crossed a line from the normal exercise of managerial duties into harassing or hostile conduct, you should report the issues to HR-ER to determine options for resolution or to the Employee Concerns Program.

Q: What should I do if I believe I am being discriminated against?

A: Report it to your manager, Human Resources Generalist, HR-ER, Human Resources-Office of Diversity and Strategic Staffing (HR-ODSS), or the Employee Concerns Program.

Q: Am I protected from retaliation if I report my manager for suspected discrimination?

A: Yes. The Laboratory prohibits retaliation by managers against workers who file a complaint of discrimination, participate in the investigation of alleged discrimination, or oppose an unlawful discriminatory practice.

Q: I believe that I am being harassed by co-workers, but it's not of a sexual nature. What do I do now?

A: Any behavior that creates an offensive, hostile, or intimidating workplace will not be tolerated and should be reported immediately to your manager, HR Generalist, HR-ER, or the Employee Concerns Program. Q: The team I work on is not getting along; team members are engaging in behaviors prohibited by the Respectful Workplace policy including shouting during meetings, using obscenities, spreading rumors about each other, and ignoring or constantly interrupting each other during planning meetings. I really just want to work out the issues and get the team working together. Are there other options besides HR-ER or the ECP for assistance?

A: Yes, the OMBUDS Office is a confidential, informal and off-the-record resource for the workforce, which assists in the resolution of disputes between employees or between employees and managers. However, reporting a concern to OMBUDS does not constitute notice to the Laboratory of concerns.

- Office of Diversity and Strategic Staffing (ODSS) (505) 667-2602
- HR-Employee Relations (505) 667-8730
- <u>Employee Concerns Program 24-Hour Hotline</u> (844) 537-9524, <u>ecp@lanl.gov;</u>
- EA-Ethics Group (505) 667-7506; MS D449
- OMBUDS Office (505) 665-2837, Anonymous Helpline (505) 667-9370, <u>ombuds@lanl.gov</u>
- PD712, Equal Employment Opportunity, Affirmative Action, and Diversity
- P721-1, Respectful Workplace and Prohibition against Harassment













Workplace Security

LANL plays a critical role in national and global security, and every employee contributes to that security through their role and through maintaining a culture that values and promotes security in everything they do. We are all expected to maintain a secure workplace to protect each other, special nuclear material, property, and information. The specific security roles of every worker are determined both by the worker's job position and the role of the organization to which they belong.

Triad does not tolerate any type of workplace violence. Workplace violence includes all actions or threats, by employees or non-employees, which are violent in nature. Employees should try to protect one another from the dangers of any illegal activity in or near the workplace by immediately reporting any suspicious activity to the Security Incident Team, a Deployed Security Officer, management, and/or HR-Employee Relations. While on site, a worker who believes that immediate action is required to respond to a threat to life or to a situation that could result in serious bodily harm should call 911 and then notify their group-or higher-level manager.

Cyber Security

The protection of the Laboratory's computing and network resources, and the information that resides therein, is of critical importance to Triad. Use of LANL network and computing resources is a privilege extended to our employees to allow them to do their work more efficiently and effectively. Employees are responsible for understanding the rules that apply to their use of LANL's computing and network resources and for complying with those rules.

Classified Information

Triad is required to establish and maintain policies and procedures to protect all classified information received from the government or generated by the Laboratory. Pursuant to this requirement, we must remember these key points:

- Access to classified information is to be allowed only to authorized persons who have been cleared for the level of information, such as Confidential, Secret, or Top Secret for the Department of Defense and "L" or "Q" for the Department of Energy.
- Classified information should be released only to authorized individuals on a "need to know" basis.
- Review of classified information must take place only in secured areas and removal of classified information from the facility must be specifically authorized by the government.

We must all properly handle classified information, including its storage, shipping, reproduction, and destruction, in accordance with applicable government rules and LANL policies. Employees authorized to have access to classified information must be familiar with the applicable security restrictions under government regulations and LANL's policies to implement its relevant contract requirements.



Summary of Policy

The Laboratory has implemented a graded approach to safeguards and security controls associated with different areas established by the Lab. As sensitivity, value, and consequence of compromise of Laboratory assets and activities increase, progressively more restrictive safeguards and security controls are established.

- Adhere to all security procedures.
- Workers must immediately report any known or potential incident of security concern to the SIT or a Deployed Security Officer/Security Program Lead (DSO/SPL) and to their Responsible Line Manager (RLM).
- Promptly report any unusual or suspicious situation to your manager or to security personnel.
- Conduct daily work within security requirements and contribute to the protection of security interests around you.
- Lock your workstation when stepping away.
- Promote security awareness and report security anomalies or violations of security requirements to the Responsible Line Manager and the Security Incident Team immediately.
- Follow instructions by Protective Force security forces.
- Observe security rules for each area.
- Seek help from deployed or core security representatives or the Security Helpdesk regarding security requirements, methods for accomplishing a security task, or other questions, concerns, or suggestions.
- Stop or pause work when there is a security concern, and if a worker observes a concern in another person's work, inform that person or his or her supervisor immediately.
- Ensure that work is authorized and performed in accordance with the Integrated Safeguards and Security Management (ISSM) five step process.
- Notify your group or higher-level manager when you are a target of workplace violence or threats of violence or when you know of violent behavior or threats directed at others. If the threat is imminent, call 911 and then notify management.

Q: On my first day back from an extended elk hunt, I realized as I was approaching the VAP that I still had my hunting rifle in my truck under my seat. It is under my back seat, securely stowed, and hidden. What should I do?

A: Firearms of any kind are not allowed on LANL site regardless of where or how they are stowed. You should turn around, when it is safe to do so, before you get to the VAP and take your rifle back home.

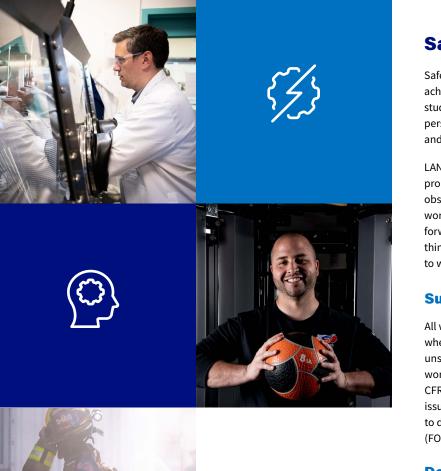
Q: I was arrested for DWI over the weekend and my attorney said it will be dismissed. Do I still have to report it for my clearance?

A: Yes, this incident must be reported to Personnel Security within one business day of the event. All arrests, criminal charges, (including charges that are dismissed) citations, tickets, summons or detentions by Federal, State, Tribal or other law enforcement agency for violations of law within or outside of the US must be reported to Personnel Security within one business day of the event. Traffic violations for which a fine of up to \$300 was imposed need not be reported, unless the violation was alcohol or drug related. If you have questions on reportable incidents, contact Personnel Security.

Q: *I* am the custodian of a GSA-approved security container (safe) and a VTR. Do I have to conduct the end-of-day check myself or can someone else do it?

A: Any worker can conduct an end-of-day check, but ideally it should be someone within the same team or group. Per P204-2, "The end-of-day check may be performed by a worker other than the user who opened and/or closed the storage container. Each organization may determine when end-of-day checks are performed."

- Security Help/Deployed Security Desk at (505) 665-2002
- Security Incident Team (505) 665-3505
- DFS After-hours On-call Duty Officer (505) 699-4094 (cell) or (505) 949-0156 (pager)
- Central Alarm Station (505) 665-7708
- Protective Force Shift Major (505) 665-1279
- Defense Protection Program
- <u>Computer Security</u>
- Deployed Security Officer Contacts
- Security Clearance Reporting Requirements



Safety and Health

Safety is core to the success of the Laboratory's operations. Working safely enables us to achieve our mission. We ensure a safe and healthful work environment for employees, students, contractors, visitors, and other on-site personnel. Safety is not compromised for personal, programmatic, or operational reasons. We also strive to protect the health, safety, and welfare of the general public.

LANL workers are responsible for working safely, protecting the safety and health of others, promptly reporting at-risk behaviors or conditions, and pausing or stopping work when observing imminent danger. Managers are responsible for providing an environment where work can be performed safely and where safety and health concerns can be readily brought forward without fear of retaliation. LANL management is strongly committed to doing the right thing by ensuring concerns are addressed and resolved and that constructive feedback is given to workers in a timely manner.

Summary of Policy

All workers at the Laboratory have the authority and responsibility to pause and/or stop work when confronted with an activity or operation in which anyone is unsure of safety, or suspects unsafe conditions, acts, or situations posing a potential or an imminent danger. The right of workers at the Laboratory to pause or to stop work implements a critical worker right under 10 CFR 851, Worker Safety and Health Program, Section .20(b)(8) and (9). Employees raising any issues or concerns regarding health and safety practices may take advantage of several venues to do so including notification to management, their ES&H staff, Facility Operations Director (FOD), WESST representative, or the Safety Concerns Hotline.

- Be proactive in promoting your own health and safety.
- Be alert to safety risks and only undertake work you are trained to do.
- Maintain a safe work environment and conduct work safely to protect and preserve the well-being of yourself, Laboratory staff and the public.
- Be consistent and disciplined in adhering to work procedures and guidelines when performing tasks and operations.
- Understand and apply safety standards to job function and perform duties in a safe manner.
- Be an advocate for safety and security.
- Report hazards, unsafe acts, and unsafe work conditions immediately
- Pause or stop work in situations posing a potential or imminent danger.





Q: I've heard a lot about Integrated Safety Management (ISM) but don't know what it is or how it affects my role.

A: The objective of ISM is to integrate safety into management and work practices at all levels addressing all types of work and hazards to ensure safety for workers, the public, and the environment. ISM guides safe work performance in a manner that ensures adequate protection for employees, the public, and the environment. This includes:

- Exercising a degree of care commensurate with the work and the associated hazards.
- Ensuring that management of environment, safety, and health (ES&H) functions and activities is an integral and visible part of the work planning and execution processes.

Q: What are some of the health and safety programs LANL offers to keep employees safe and to help them perform at their best?

A: LANL has an abundance of safety and health programs accessible to employees, students, and subcontractors. We employee a diverse group of professionals including Industrial Hygienists, Safety Professionals, Medical Personnel, Integrated Health Service Providers, WESSTs (Worker Environment Safety & Security Teams), Human Performance Improvement Experts, Surveillance Programs (to monitor and ensure identified hazards are controlled in reoccurring environments), Radiation Protection, health promotion classes and initiatives, wellness center fitness facility, fitness testing and monitoring, ergonomics, nutrition and dietary health. We want life at LANL to be as comfortable, convenient, and as safe as it can be to ensure our population is strong and can meet the mission in a safe and healthful way.

Q: What are the SCoR Principles?

A: The Laboratory embraces SCoR (Safe Conduct of Research) because it has proven to help organizations learn from their challenges and reduce accidents and injuries, unnecessary risks, and distractions. SCoR refers to personnel safety, industrial safety, radiological safety, and—especially—nuclear safety, when applicable. There are eight core principles:

- 1. Everyone is personally responsible for ensuring safe operations.
- 2. Leaders value the safety legacy they create in their discipline.
- 3. Staff raise safety concerns because trust permeates the organization.
- 4. Cutting-edge science requires cutting-edge safety.
- 5. A questioning attitude is cultivated.
- 6. Learning never stops.
- 7. Hazards are identified and evaluated for every task, every time.
- 8. A healthy respect is maintained for what can go wrong.

Q: What do I do if I see a situation that could cause an accident or poses immediate danger?

A: As an employee, you have the right and the responsibility to pause or stop any work if you feel your safety or the safety of others is at risk. In general, when a worker observes an unsafe condition or act that may pose an imminent danger, potential environmental, quality, or waste generation noncompliance, or other safety concern/hazard, the worker has the authority and responsibility to inform the worker engaged in that work and request that the work activity be paused and/or stopped based on the risk posed to the individual. If the risk can be resolved immediately and to the mutual satisfaction of the workers involved, no reporting or further action is required. If a worker is not successful in pausing/stopping work, then he or she must inform the observed work's First Line Manager (FLM) or Responsible Line Manager (RLM) (or any line manager) who then is expected to invoke the requirements of pause/stop work. Refer to P101-18, Procedure for Pause/Stop Work, for further guidance.

- Employee Assistance Program
- Occupational Health
- Employee Concerns Hotline: (844) 537-9524
- Safety Concerns Hotline (505) 665-7233 (SAFE), <u>SAFETY@lanl.gov</u>
- Worker Environmental, Safety & Security Teams (WESST)
- 10 C.F.R. 851, Worker Safety and Health Program
- P101-18, Procedure for Pause/Stop Work
- SD100, Integrated Safety Management System
- P300, Integrated Safety Management System
- PD100, DOE/NNSA Approved Los Alamos National Laboratory 10 CFR 851
 Worker Safety and Health Program











LANL is proud of its long-standing commitment to environmental excellence by minimizing current operational impacts and creating a sustainable future. LANL ensures compliance with applicable environmental requirements through a variety of institutional plans and programs, which are all essential components to the environmental management system at LANL.

Summary of Policy

LANL is committed to environmental excellence. Achieving excellence demands that employees conduct work in a way that minimizes waste and environmental impacts and is compliant with federal, state, and local laws and regulations. As we fulfill the Laboratory's mission, we act as stewards of our environment and obey environmental regulations. By setting goals for continuous improvement, we measure and document our progress, and share our results with our workforce, stakeholders, and the public.

- Conduct work in a way that minimizes waste and environmental impacts and is compliant with federal, state, and local laws and regulations.
- Complete annual Environmental Management System (EMS) Awareness training.
- Understand the Laboratory's Governing Policy on the environment.
- Complete Environment Action Plan (EAP) actions as assigned.
- Understand how assigned work can affect the environment.
- Prevent or mitigate negative environmental impacts and enhance positive impacts when working.





- Cultural resource specialists evaluated 71 archeological sites and documented historic buildings in six technical areas.
- Laboratory employees banded 841 birds, caught using mist nets, to monitor migratory bird populations.
- Laboratory employees located two Mexican spotted owl nests during surveys.



Q: I'm new to LANL, and I am unsure of the proper environmental requirements and procedures. What should I do?

A: If you are unsure of the proper environmental requirements and procedures, regardless of whether they are external or internal requirements, ask for clarification and/or help. First consult with your supervisor or manager. You may also visit the Environmental Protection and Compliance website for guidance or contact your deployed environmental professional, if applicable.

Q: How can I reduce the impact of what I use by what I buy?

A: Many products now have an environmentally preferable alternative available at competitive prices. These "green" products reduce environmental impacts and cost less during their life cycle because they are less regulated once they become waste. Think about your products' life cycle before you buy and work with your Designated Procurement Representative to buy environmentally preferable products whenever possible.

Q: What can I do at work to reduce environmental impact?

A: Small actions done over time through many people can add up to big impacts:

- Print or use both sides of each sheet of paper.
- Convert as many files as possible to electronic only (pdf or other formats) so that less printing is needed.
- Share your ride! When several employees are going to the same meeting, share a car, whether it is a rental car, personal vehicle, or government vehicle. Less cars mean less environmental impact.
- Turn off lights and equipment when not in use. Electricity purchases contribute the largest percentage towards greenhouse gas emissions at LANL.

- Environmental Protection and Compliance
- Environmental Contacts
- Deployed Environmental Professionals
- SD400, Environmental Management System
- EPC-CP Spills Pager (505) 664-7722

Contact Us

Office Location: 1911 Central Avenue, Suite 200 Los Alamos, NM 87544 TA 00, Building 798, Room 2001 (505) 667-7506 MS D449

Employee Concerns 24-Hour Hotline (844) 537-9524 or <u>Visit our website</u>

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