

# NWPA ALF NEWS

NOVEMBER EDITION

## VETERANS DAY

WE THANK YOU FOR YOUR SERVICE

### UPCOMING EVENTS

**TUESDAY, NOVEMBER 7, 2023—VOTE!**

POLLS OPENED: 7:00 AM—8:00 PM

**PA AFL-CIO ENDORSED CANDIDATES**

[ENDORSED CANDIDATES – PA AFL-CIO \(paafclcio.com\)](http://paafclcio.com)

**VETERANS DAY NOVEMBER 11, 2023**

**SATURDAY, NOVEMBER 18, 2023**

**ROSANN BARKER'S RETIREMENT  
PARTY**

SATURDAY, NOVEMBER 18, 2023 BEGINNING AT 5 PM  
VFW  
FRANKLIN, PA 16323

FOR INFORMATION: DIRECTOR.NWPA,ALF@GMAIL.COM OR  
814-450-6520

**THURSDAY, NOVEMBER 23, 2023  
HAPPY THANKSGIVING!**

**NWPA ALF OFFICE—CLOSED 11/23 &  
11/24**

**DECEMBER 13, 2023 NWPA QUARTERLY  
MEETING**

**E-BOARD MEETS AT 6:00 PM AND DELEGATES  
JOIN US AT 7:00 PM.**



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**LOOK FOR THE FOLLOWING CANDIDATES ON YOUR BALLOT  
TUESDAY, NOVEMBER 7, 2023**



**SUPREME COURT—JUDGE DAN MCCAFFERY**  
[WWW.JUDGEMCCAFFERY.COM](http://WWW.JUDGEMCCAFFERY.COM)



**COMMONWEALTH COURT— JUDGE MATT WOLF**  
[WWW.JUDGEMATTWOLF.COM](http://WWW.JUDGEMATTWOLF.COM)



**SUPERIOR COURT—JUDGE TAMIKA LANE**  
[WWW.JUDGELANEFORPA.COM](http://WWW.JUDGELANEFORPA.COM)



**SUPERIOR COURT—JILL BECK**  
[WWW.JILLBECK.COM](http://WWW.JILLBECK.COM)

# HOW DID POPPIES BECOME THE SYMBOL OF VETERANS DAY?



Honoring service members has been a hot-button issue in our country as of late. No matter what your political stance is on the topic, we can surely all agree that those who served this great country deserve to be recognized, and Veterans Day, on Friday, November 10, is an opportunity to do just that.

Veterans Day, which is observed annually on November 11 (or on Friday, November 10 if the 11th falls on a Saturday – as is the case this year), is often confused with the more widely-recognized Memorial Day, but there is a distinct difference between the two holidays.

Memorial Day honors those who died while serving in the military, while Veterans Day is meant to honor the service of all U.S. military veterans. So, technically, thanking a living vet for their service on Memorial Day is missing the intended meaning of the holiday. Obviously, there isn't a "wrong" time to thank a veteran, but if you're going to pick a day to do so, Veterans Day is it!

Just how did this holiday get its start? It all started back in 1926 when the U.S. Congress adopted a resolution requesting that President Calvin Coolidge issue annual proclamations calling for an observance of November 11 – notable because World War I formally ended at the 11th hour of the 11th day of the 11th month of 1918, when the Armistice with Germany went into effect.

It took 12 years for a Congressional Act to officially make the 11th of November in each year a legal holiday. Originally known as Armistice Day in the United States, the name was changed to Veterans Day in 1954.

## Poppies

Like many other holidays, Veterans Day has a direct tie to the floral industry with poppies being symbolic of the observance. Many poppy wreaths are laid at war memorials and small artificial poppies are worn on clothing to commemorate this patriotic holiday.

Inspired by the World War I poem "In Flanders Fields," in which the opening lines refer to poppies that were the first flowers to grow in the soil from soldiers' graves in the Flanders region of Belgium, these small red flowers were adopted by the National American Legion as their official symbol of remembrance in 1920.

The Royal British Legion soon after adopted the poppy as their symbol, as did veterans' groups in Canada, Australia, New Zealand, as well as a host of other countries.

Although they are closely related, the poppies used for Veterans Day (as well as Memorial Day) are not the same species as the opium poppy which is grown as a field crop to produce opium and poppy seeds. Opium poppies were once prohibited in the United States under the Opium Poppy Control Act of 1942, however, the law has since been repealed and the law of poppy cultivation in the U.S. is now somewhat vague and remains controversial.

Coincidentally, the red remembrance poppies aren't free from controversy of their own. In fact, some anti-war groups view the remembrance poppy as a political symbol of war and conflict. The controversy has even spread to the sports world and particularly European soccer clubs where remembrance poppies are a common occurrence on team uniforms in the run-up to Remembrance Day.

Some groups have adopted white poppies as an alternative to, or an accompaniment to, red poppies as a way to symbolize peace without glamorizing war. Additionally, purple poppies are sometimes used in Britain to commemorate animals that have been victims of war.

Regardless of the controversies surrounding this little red flower, you're probably going to see them "popping" up around town this week. When you do, remember to take a moment to give thanks to all the veterans who serve – or have served – our country.



## **Workers' Compensation Benefits: Dollars and Sense**

By Signe O'Brien Rudberg, Esquire  
**Edgar Snyder & Associates, LLC**

Under the PA Workers' Compensation Act, an injured worker is entitled to wage loss and medical benefits for a work related injury. This article will focus on the wage loss benefits.

Wage loss is calculated based on earnings one full year from the date of injury. Gross wages, vacation time, bonus and profit sharing amounts are calculated by using the highest three quarters of the year prior to the injury date. After each 13 week period is calculated, they are averaged to determine what the workers' average weekly wage may be. The average weekly wage is then multiplied by .666 to determine what the work comp rate for that individual may be.

The work comp rate has a yearly maximum and the maximum for 2023 is \$ 1,273.00. Therefore if you are completely off work that is the amount you will receive not to exceed the maximum. If you are on light duty and working under medical restrictions for your workers' compensation injury, you are entitled to two-thirds of the difference between your light duty average weekly wage and you average weekly wage for your date of injury.

Please note that all total and partial work comp calculations are based on these calculations and the calculations can be found in a document called an LIBC Statement of Wages.

If you believe you are not being paid correctly, you can request the LIBC Statement of Wages from your Employer or the insurance company who is paying your total or partial work comp benefits. Often, the calculations are inaccurate and amounts have been estimated or key wage data has been omitted from the calculations.

In some cases, Employers may pay wages in lieu of work comp in order to avoid a lost time injury. When wages are paid in lieu of work comp, the LIBC Statement of Wages is still applicable and your net pay must align with the numbers in the calculations. Work comp benefits are not taxed. So, if you are receiving payment which is taxed, you should look at the net figures not the gross figures.

Under the PA Workers' Compensation Act, accrued benefits such as sick time and vacation time should not be depleted for a work comp injury. A collective bargaining agreement cannot put your work comp pay at less than what it would be if you were receiving work comp benefits and accrued time should be preserved if a claim has been accepted and paid.

If you are paid every week, your work comp should be paid every week including partial payments. Any past due amounts of work comp which were not paid correctly are subject to a 10 percent statutory interest payment in addition to the amount owed.

If you have made your employer or insurance carrier aware that payment is inaccurate, and they have the opportunity to correct the payment but fail to do so a penalty petition can be filed to request a WC Judge to award a penalty of up to 50 percent of what is owed on past due amounts. It is up to the Judge's discretion as to the percentage of penalty and the maximum amount is 50 percent. This can, of course, be negotiated.

If you believe your work comp payments are inaccurate and you need assistance with your workers' compensation claim, please do not hesitate to contact me for a free consultation.



US Steel Tower 10<sup>th</sup> Floor, 600 Grant St, Pittsburgh PA 15219  
1.866.306.2667 – 412.488.6000  
[www.edgarsnyder.com](http://www.edgarsnyder.com)

**Know Your Rights**

**Protect Your Rights!**

This article is for informational purposes and is not a substitute for the legal advice of a qualified attorney.

### **WATCH OUT FOR WINTER!!!**

We can all hope for a mild winter, but we know in certain areas, there is snow and ice beginning in November (sometimes October!) and carrying through into the late Spring. That kind of weather can produce circumstances that could result in injuries—what kind of injuries might be covered?

If an individual parks in a specific employee parking lot and is required to park in that area, then slipping on ice or snow there might be a compensable work injury if it results in medical treatment or lost time. There are certain requirements for these cases, often described as “premises” cases, and they center around when and why the injury happens, if it is in that employee parking area. For that injury to be in the course of employment, it must occur “a reasonable time” before or after work. Generally, an injury occurring on those premises before or after work or at lunchtime will be compensable. However, there are circumstances that might take it out of coverage based on the reason the employee went to his/her car. For example, if the injured employee has a Boy Scout son and the employee went to retrieve hoagies at lunchtime that other co-employees bought for their lunches from the scout troop an argument could be made that the trip to/from was part of the employees’ lunchtime—but it was also personal to the injured worker, whose son’s scout troop benefitted from the hoagie sales. Similarly, staying after work to have a snowball fight in the parking lot, or playing hockey in the lot with co-workers because it’s icy there will likely not be considered to be compensable. And there was a case decided by the Commonwealth Court that an employee injured while helping a co-employee who was stuck in the snow free her car was not covered, because it was the sudden movement of the car, and not the condition of the parking lot, that caused the injury. [That is an old case, though, and premises and course of employment has expanded some since then, so don’t dismiss it as work-related out of hand!]

Sometimes the workplace gets colder than usual as a result of a work injury, and employees bring in heaters or other appliances that might heat the work area. Perhaps when the heat first comes on, the boiler or furnace hasn’t been adjusted properly. Incidents like these could potentially cause an injury if there is an issue with exposure to fumes which sicken an injured worker. However, please remember that any need for medical treatment or any disability must result from that exposure. For example, if the boiler malfunctions in the plant and there is an odor permeating the shop floor, and people get sick and need treatment, the medical bills for that treatment (including ambulance bills if required) should be paid. But if the individual “recovers” from the exposure in a day or two and can return to work, there is not a compensable disability—an employee must be off more than 7 days due to a work injury. Being “worried” about going back to work under those circumstances, so not returning will not be a compensable disability.

**Individuals who work outside and might suffer frostbite and need medical treatment should have their medical bills paid. If they failed to wear their outdoor clothing as required by the employer—especially if additional winter “gear” is provided, could result in the employer raising the defense of the violation of a positive work order. Those cases can be won, however, if the employee is engaging in an essential part of his/her work duties. The Commonwealth Court has held that the failure to use safety equipment does not necessarily constitute the violation of a positive work order if the employee is injured while performing an essential part of that worker’s job. So if the employee working outside takes off her mandated winter work gloves because a piece of equipment is being particularly difficult, and gets frostbite and requires treatment, the employer likely will not be able to stand on that defense.**

**Not to get too graphic, but significant frostbite resulting in the loss or loss of use of fingers or toes due to those outside work conditions would also be compensable as a specific loss. That results in a payment of a lump sum of benefits pursuant to a schedule of compensation in the Act, even if the individual misses minimal work.**

**No one wants to get hurt and no one wants to get hurt at work. There are always risks and employees always need to be aware. A change of seasons and the onset of cold weather, however present additional potential for injury and employees need to know that those injuries may be compensable, as outlined above, even if their employer and/or its compensation carrier “suggest” that that is not the case.**

**BLAUFELD SCHILLER & HOLMES LLP  
810 Penn Avenue, Suite 700  
Pittsburgh, PA 15222  
412-391-0775  
1-800-343-9384  
bsh@bshlaw.net**

## Pedestrian and Cyclist's Guide to Car Accidents

By: William Kozich and Sam S. Dhaliwal

Walking and biking are great opportunities to see the colorful changes in fall foliage—but are not without their risks. Estimates from the Governors Highway Safety Association state that more than 7,500 pedestrians were killed by drivers last year—a 40-year high in the United States. For bicyclists it is not much better—roughly 1,000 die and over 130,000 are injured on the road each year. Experts speculate that this is due to both poorly designed roads and the prevalence of larger cars, like SUVs, increasing severity and likelihood of injury. However, there are a few guidelines you should follow to create a safer experience.

Always wear visible, florescent clothing during the daytime if possible to increase visibility to traffic. Second, wear retro-reflective clothing or accessories at night to be more visible in the headlights of traffic in the dark. Third, use active lighting (white or red lights) at night to notify drivers of your presence.

However, if you've been injured by a motor vehicle while walking or riding your bike, the lawyers at Caroselli Beachler and Coleman are here to help you. If you're lucky enough to walk away from such an event, you'll likely be left with significant injuries and in need of guidance. This article provides a step-by-step framework for what to do after you've been hit based on the time-tested experience of our attorneys:

Just like a collision between two vehicles, **make sure to call the police.**

If you are unable to call, have a witness do so. When a death or any personal injury requiring medical attention has occurred, the police will prepare a report which is often used in determining fault in the incident.

Next, **seek medical attention.** A collision with a vehicle is traumatic when you're behind the wheel, but this is magnified when a pedestrian or cyclist is a victim. Your adrenaline may prevent you from discovering injuries that may be apparent when the adrenaline subsides. The best thing to do is to be evaluated immediately by the emergency department—whether you think you need it or not.

Although it may seem counterintuitive, you need to **report the incident to your car insurance.** Under Pennsylvania law, you are entitled to "First Party Benefits" under your own car insurance policy even as a pedestrian or cyclist—if you're hit by a car, your car insurance may provide payment for expenses such as wage loss, medical coverage, and funeral benefits caused by the incident. These benefits provide payment for medical treatment that, unlike some health insurance plans, do not require a co-pay and cannot be recovered out of your recovery in a potential lawsuit. Further, even if you selected the "limited tort option" under your policy that restricts your rights to recovery in a lawsuit, our Supreme Court ruled that this option is not applicable to pedestrians; You retain your full rights to recovery.



Finally, **seek the advice of an experienced personal injury attorney.**

If you sustain an injury from a motor vehicle while walking, going for a run, or riding your bike, it is important to retain an experienced personal injury attorney as soon as possible so you can focus on recovery. The law firm of Caroselli Beachler Coleman has been representing injured people for over 50 years. We offer free consultations and can meet at a location convenient to you. If you, a family member, or friend were injured in a car accident, give us a call at 1-800-222-8816.

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## **2023 Veterans Breakfast**

The Warren-Forest Central Labor Council is proud to sponsor our Fourth Annual Veterans Breakfast

**Where: Youngsville Volunteer Fire  
Department  
29 Fireman Street  
Youngsville, Pa 16371  
November 11, 2023  
8:00 AM – 10:00 AM**

We have always been proud of the members of our community and their patriotic spirit. According to the U.S. Census Bureau reports from 2015, 7.8% of the population nationwide has served our country in some capacity. In our region patriotism and service to our country is higher than the national average with 9.8% in Forest County and 12.1% in Warren County.

On Saturday, November 11, 2023 we will host our fourth annual Veteran's Breakfast. We ask you to join us as we serve those who served us. The breakfast will be free for the Veterans and their immediate family. The event will; be held from 8 AM until 10 AM at the Youngsville Volunteer Fire Department which is located at 29 Fireman Street in Youngsville Pa. Our veterans can RSVP and leave a message with Rich Barrett at 814-730-7558 or email to

[Richbarrett2@gmail.com](mailto:Richbarrett2@gmail.com).

**Please join us in honoring our Veterans on this day!**

# Pennsylvania Soldiers' & Sailors' Home Veterans Day Ceremony



**pennsylvania**

DEPARTMENT OF MILITARY  
AND VETERANS AFFAIRS  
PENNSYLVANIA SOLDIERS'  
AND SAILORS' HOME

Friday, November 10th, 2023

10:00am in the Chapel

Please RSVP to Volunteer Resources  
Coordinator, Ken Vybiral

at 814-878-4961 or [kvybiral@pa.gov](mailto:kvybiral@pa.gov) by  
11/8/23



**Join us December 16<sup>th</sup> 2023**

at the PA Soldiers' & Sailors' Home, Veterans Memorial Cemetery

560 E 3rd St, Erie, PA 16507

for our annual Wreaths across America ceremony to:

*Remember* our fallen U.S. veterans.

*Honor* those who serve.

*Teach* your children the value of freedom.

Ceremony will begin at Noon with wreath laying to immediately follow  
To support Wreaths Across American at the PA Soldiers' & Sailors' Home  
please visit: [www.wreathscrossamerica.org/PASASH](http://www.wreathscrossamerica.org/PASASH)



For more information or to donate, contact:  
Ken Vybiral, Volunteer Coordinator, at  
814-878-4961 or [kvybiral@pa.gov](mailto:kvybiral@pa.gov)

# Opening Night

Share the Magic with us in a time to support our community and to celebrate our volunteers.



**Thursday, November 16, 2023**

2023 has us busy with a lot of new and exciting transformations that we can't wait for you to see! Because of this, we ask for your patience and understanding on Opening Night: this includes some differences with our awesome goodies. Our treat coupons have changed, but they're still as delicious as ever!

**Please remember to bring donations for our Share the Magic partners will be received at the Gate or can be dropped in the donation barrel at Hartman Station. Donations will be blessed to:**

- Angel Tree Salvation Army - new, unwrapped toys for children 12 and under
- Good Samaritan Center - nonperishable food items
- Local Area Animal Shelters - dry cat, dog and equine food and kitty litter
- Monetary Donations to Overly's Country Christmas

Admission Gate opens at 5:30 pm. The Blessing of the Lights, and the lighting of the first bonfire begins at 6:00 pm.

To allow our volunteers to take part in the opening ceremonies, Christmas Village buildings will be temporarily closed or sales suspended from approximately 5:55 to 6:20 PM.

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Kindly call 724-423-1400 or email your **RSVP** to [overlysc@gmail.com](mailto:overlysc@gmail.com) by Friday, November 10, 2023. To help us provide the best possible experience for everyone in attendance, our treat coupons are **NOT** to exceed four (4) family members, so we kindly thank you in advance for being accommodating.







**NWPA ALF Blended Meeting**  
**Meeting 7:00 PM on Wednesday, 12/13/23**  
**EBoard 6:00 PM**  
**In person: AFSCME DC 8 Hall**  
**1276 Liberty St Franklin, Pa 16323 or via Zoom**  
**Special Speakers—TBD**  
**RSVP 814-450-6520 or director.nwpa.alf@gmail.com**

**BEAVER-LAWRENCE CLC:**

MEETING 7:00 PM  
MONDAY, 11/20/23  
IBEW 712 HALL  
217 SASSAFRAS LANE  
BEAVER, PA 15009

FOR MORE INFORMATION CALL  
724-971-7473

**BUTLER COUNTY CLC:**

MEETING 7:30 PM ON WEDNES-  
DAY, 11/1/23  
UAW 3303 HALL  
112 HOLLYWOOD RD., BUTLER,  
PA 16003

FOR MORE INFORMATION CALL  
724-285-4883 EXT. 233

**CLEARFIELD-ELK-CAMERON-  
JEFFERSON (POTTER) CLC:**

BLENDED MEETING 7:30 PM  
THURSDAY, 11/2/23  
IBEW LU5  
1400 LEONARD ROAD  
CLEARFIELD, PA16830

FOR MORE INFORMATION CALL  
814-937-2208.

**ERIE-CRAWFORD CLC:**

MEETING 6:30 P M  
WEDNESDAY, 11/2/23

**DECEMBER MEETING & HOLIDAY PARTY  
6:00 PM  
PLYMOUTH TAVERN  
1109 STATE ST  
ERIE, PA 16501**

ADMIRAL ROOM-BLASCO LIBRARY  
160 W. FRONT ST ERIE ,PA 16507

FOR MORE INFORMATION CALL 814-  
823-9940.

**GREATER WESTMORELAND CLC:**

MEETING 7:00 PM  
MONDAY, 11/20/23

HEMFIELD VFD  
421 THORNTON RD GREENSBURG  
15601

FOR MORE INFORMATION CALL 724-  
600-6266.

**INDIANA-ARMSTRONG CLC:**

BLENDED MEETING 7:30 PM  
**THURSDAY, 11/28/23 NO MEETING-  
HAPPY THANKSGIVING**

**DECEMBER MEETING & HOLIDAY PARTY  
12/7/23 -7:30 PM**

UMWA 1412  
51 ELEVENTH ST  
LUCERNEMINES, PA 15754

FOR MORE INFORMATION CALL 724-  
479-0923.

**MERCER COUNTY CLC:**

MEETING 7:30 PM  
THURSDAY, 11/16/23

USW 1660 HALL  
1028 ROEMER BLVD  
FARRELL, PA16121  
FOR MORE INFORMATION CALL  
724-854-0605.

**VENANGO-CLARION CHAPTER:**

BLENDED MEETING 6:00 PM  
THURSDAY, 11/9/23

IAM 1842 HALL  
24 FRONT ST  
FRANKLIN 16323

FOR MORE INFORMATION CALL  
814-671-4420.

**WARREN-FOREST (MCKEAN)  
CLC:**

BLENDED MEETING 6:00 PM  
THURSDAY, 11/2/23

IUOE 95 HALL  
116 DOBSON AVE  
WARREN 16365

FOR MORE INFORMATION CALL  
814-730-7558



**PA Area Labor Federation Officers**

Chair Andrew Harkulich  
Sec Treas Phil Lasky  
Vice-Chair Shane Clark  
Vice-Chair Richard Galiano  
Vice-Chair Julie Barnett  
Vice-Chair Maria Delgado  
Vice-Chair William Palmer  
GMP Rep/Trustee Anthony Modaffare  
OPEIU Rep/Trustee Jeffrey Hapke  
IBEW/Trustee Declan Pape

**Executive Board Members**

Rep B-L CLC Alicia Craig  
Rep B CLC Jim Saeler  
Rep CECJ (P)CLC Jeff Miller  
Rep E-C CLC Angel Negron  
Rep GWCLC Walter (Pat) Geiger  
Rep I-A CLC Rachel Sternfeld  
Rep M CLC Lonnie McFall  
Rep V-C Chapter CJ Pete Kluck  
Rep W-F (M) CLC Richard Barrett  
Rep B&CTC Rep Retiree Groups Daryl Busch  
Rep AFSCME Dave Carey  
Rep AFT Antonella Spinelli  
Rep CWA Steve Tulblaenko  
Rep APSCUF Lee Williams  
Rep GMP Anthony Modaffare  
Rep IBEW Frank Telesz Jr  
Rep IBT John Cerra  
Rep IUOE Jeff Blymiller  
Rep IUPAT Ron Buechel  
Rep Iron Workers Greg Bernarding  
Rep OPEIU Jeffrey Hapke  
Rep PAJBWU John Cochran Jr  
Rep SEIU Mike Butler  
Rep TWU Dennis Sabina  
Rep UA James C Kirsch  
Rep UBC Lonnie McFall  
Rep UFCW Rebecca Valvo  
Rep UMWA Chuck Knisell  
Rep USW Paul Pelc

**Director NWPA ALF**  
Amy Alcorn

**NWPA AREA LABOR FEDERATION,  
AFL-CIO'S  
CODE OF CONDUCT**

*THE NWPA AREA LABOR FEDERATION, AFL-CIO IS  
COMMITTED TO PROVIDING AN ENVIRONMENT FREE*

*FROM DISCRIMINATION AND HARASSMENT, REGARD-  
LESS OF AN INDIVIDUAL'S RACE, ETHNICITY, RELIGION,  
COLOR*

*SEX, AGE, NATIONAL ORIGIN, SEXUAL ORIENTATION, DIS-  
ABILITY, GENDER IDENTITY OR EXPRESSION, ANCESTRY,  
PREGNANCY, OR ANY OTHER CHARACTERISTIC PROHIB-  
ITED BY LAW.*

*AS, THE AFL-CIO WILL NOT TOLERATE DISCRIMINATO-  
RY, HARASSING OR OTHERWISE UNACCEPTABLE BEHAV-  
IOR IN THE WORKPLACE OR AT ANY OF ITS ACTIVITIES,  
EVENTS OR MEETINGS. IT ADOPTS THE FOLLOWING  
CODE O CONDUCT AND EXPECTS EVERYONE IN THE  
WORKPLACE—AND THOSE WHO PARTICIPATE IN ANY OF  
ITS ACTIVITIES, EVENTS OR MEETINGS — ABIDE BY IT.*

