



Colorado Springs, CO 80916

January 31, 2023

Main Phone: [REDACTED]

Main Fax: [REDACTED]

www.rampartaviation.com

Lynn Spencer
Air Safety Investigator
National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594
RE: **Rampart Aviation Work Tolerance Waiver**

Dear Ms. Spencer,

I am writing in response to National Transportation Safety Board ("NTSB") Subpoena No. 3.44.910.74925. Please find attached documents responsive to the requests set forth in that subpoena, including:

- A copy of Rampart Aviation's original Work Environment Tolerance Wavier (the "Waiver"), R0 which was never published for signature;
- A copy of Rampart Aviation's revised Waiver, R2 which Rampart Aviation used starting 05/09/2014 thru 07/29/21;
- A Copy of Rampart Aviation's revised Waiver, R3 which Rampart Aviation started 07/29/21 thru current;
- A copy of the Waiver that Charles Crooks signed on or about 07 March 2022, which is the version of the Waiver that Rampart Aviation has used since 07/29/2021.

Rampart Aviation has not used a version of the Waiver other than the versions produced here.

The Waiver is a document that all employees receive and accept prior to their employment. To place this Waiver in context, one of Rampart Aviation's largest customers is the U.S. Military, the culture of which often includes potential harsh language and behavior. The Waiver helps to inform our employees, especially those joining Rampart Aviation without prior military experience, that they may be exposed to harsh language or behavior from our military customers. The Waiver is not directly related to language used or sanctioned by Rampart Aviation or its employees. We believe that providing the Waiver helps ensure our employees understand our customer and the environment in which we perform.

Re: [REDACTED]

Tony Porterfield
Chief Executive Officer
Rampart Aviation, LLC



Work Environment Tolerance Waiver

While Rampart Aviation, LLC will not tolerate unlawful harassment of or unlawful discrimination against any employee, certain speech and conduct that might be offensive or unacceptable in a traditional corporate environment, or on the floor of Congress, may be tolerated in Rampart's work environment. In the real world of the military, profanity and brash conduct, although not welcomed, are not perceived as hostile or abusive and indelicate forms of expression are accepted or endured as normal behavior. Rampart is comprised primarily of retired Special Forces military personnel. Indeed, everyone at Rampart interacts with retired and active military personnel a significant amount of time. In this work environment, although not welcomed nor exhibited by all, humor and language by both male and female employees may be rough, hewn and brash, and may even be sexual or racial in nature.

By accepting Rampart's offer of employment, regardless of my other duties and responsibilities, I knowingly and voluntarily accept this type of work environment, speech and conduct as a condition of my employment and consent to waive, release and indemnify Rampart, its employees and contractors from any promises, claims, causes of action or similar rights, known and unknown, under the guise of many different laws (including federal, state, and local laws and statutes, executive orders, rules and regulations, administrative guidelines, and common law doctrines) whether or not based on hostile work environment, harassment, or any other right I have under the Civil Rights Act of 1964. I do so believing that in the context of the environment described above, everyone would need a higher tolerance and such speech and conduct would not engender offensive feelings in me, even if I was sometimes the subject of this speech and conduct.

Issued to: _____

Signed: _____

Date Signed: _____

COPY



Work Environment Tolerance Waiver

NOTE: THERE WAS AN ERROR IN THE PREVIOUS WORK ENVIRONMENT TOLERANCE WAIVER. THIS VERSION SUPERCEDES ANY FORMER COPY.

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Issued to: CHARLES CROOKS

Signed: [REDACTED]

Date Signed: 07 Mar 2022

COPY