



# Respectful Workplace Policy

Canada

## Contents

1. Safe and Respectful Workplace Environment .....	4
1.1 Who does this Policy apply to? .....	4
1.2 What are the obligations of every individual? .....	4
1.3 What kind of “behaviour” does this Policy cover? .....	5
1.4 When does this Policy apply? .....	5
2. What is discrimination? .....	5
2.1 What are some examples of discrimination? .....	6
3. What is harassment? How is it different from sexual harassment? .....	6
3.1 What are some examples of (non-sexual) discriminatory harassment? .....	7
3.2 What are some examples of discriminatory sexual harassment? .....	7
3.3 What is not sexual harassment? .....	8
3.4 What is workplace harassment? .....	8
3.5 What are some examples of workplace harassment? .....	8
3.6 What is not workplace harassment? .....	9
4. What is workplace violence? .....	9
4.1 What are examples of workplace violence? .....	9
5. What should you do about discrimination, harassment or violence? .....	10
6. Respectful Workplace Policy Implementation Program .....	11
6.1. Steps to Follow for any Concern, Incident or Complaint: .....	11
6.2. Step 1 .....	11
6.3. Step 2 .....	12
6.4. Step 3 .....	13
6.5. Step 4 .....	13
6.6. Outside Assistance .....	13
7. Can you report a concern or incident or make a complaint anonymously? .....	13
8. What are your rights if you report a concern or incident or make a complaint? .....	14
9. What are your rights if someone reports a concern or incident or makes a complaint about you? .....	14

10. What are your obligations if you are involved in the investigation of a concern, incident or complaint?.....	14
11. How does the investigation process work? .....	14
12. What kinds of disciplinary and remedial action will the Company take if this Policy is breached?16	
13. What about retaliation?.....	17
14. Where do I go for more information? .....	17
15. How does the Company assess the risk of workplace violence and what safety measures does the Company take to reduce risks? .....	18
16. Awareness Training Program .....	18
17. Policy and Program Review .....	19



## 1. Safe and Respectful Workplace Environment

At Barracuda Networks Canada Ltd. (the "Company"), every individual in our workplace is entitled to a safe and respectful workplace environment that is free from discrimination, harassment and violence, and that treats each individual with dignity and respect.

The Company is strongly committed to ensuring that no employee is subject to discrimination, harassment or violence from management, co-workers, suppliers or customers. One of the ways the Company demonstrates this commitment is through the development and enforcement of this Respectful Workplace Policy.

The Company does not discriminate, and will not tolerate or condone discrimination or harassment, whether verbal, physical, and institutional. Likewise, violence in our work environment is never acceptable.

The Company will take appropriate measures and disciplinary and remedial action (including, where necessary, contacting law enforcement officials or taking legal action) against anyone responsible for violating this Policy.

### 1.1 WHO DOES THIS POLICY APPLY TO?

This Policy applies to:

- all Company employees from "top to bottom", whether full-time or part-time, regular or temporary, casual, or co-op
- all sales agents, consultants, contractors and other service-providers who may provide services in our workplace or to our organization
- all members of the Company Board of Directors.

To be clear, this Policy also applies to customers, clients, suppliers and members of the public whose behaviour is directed at individuals listed above and occurs at our workplace or work-related events.

### 1.2 WHAT ARE THE OBLIGATIONS OF EVERY INDIVIDUAL?

Every individual has a responsibility to help promote a respectful workplace environment. This means not engaging in, allowing, condoning, or ignoring behaviour that violates this Policy. Every individual covered by this Policy also has a responsibility to comply with and support this Policy and the attached Implementation Program.

Every individual is responsible for his or her own behaviour. However, supervisors and managers have an additional obligation to oversee and address the behaviour of others, by setting a good example and by taking positive action whenever they become aware of any potential breach of this Policy.

### 1.3 WHAT KIND OF “BEHAVIOUR” DOES THIS POLICY COVER?

In this Policy, whenever we talk about “behaviour”, we include a broad range of:

- conduct (what you or others do)
- comment (what you or others say, whether orally or in writing or via pictures and images, communicated through any form or medium)
- vocal activity (making sounds), gestures and non-vocal activity.

### 1.4 WHEN DOES THIS POLICY APPLY?

This Policy applies to behaviour which may occur at the Company workplace or during the course of any Company-related business, activity or event.

(For Company employees who work remotely from home, while you are working, “workplace” also includes your home. For Company employees who work remotely from the Company’s customer locations, “workplace” also includes those customer locations.)

This Policy also applies to behaviour occurring outside of those situations, when the behaviour is initiated by or directed at individuals covered by this Policy, and the behaviour adversely affects the Company staff, its workplace environment or working relationships.

## 2. What is discrimination?

Discrimination is unfair or improper behaviour (whether intentional or not):

- that results in differential treatment of one or more employees
- that affects working conditions, or employment decisions, or the work environment, and
- that is related to one or more of any grounds of discrimination prohibited by Human Rights legislation in Ontario under the Ontario Human Rights Code (“Code”) (the “Prohibited Grounds”), including:
  - o race, ancestry, place of origin, colour, ethnic origin, citizenship
  - o creed (religion)
  - o age
  - o marital status (including single status), family status, same-sex partnership status
  - o sex (biological), including pregnancy and childbirth
  - o gender identity and gender expression
  - o sexual orientation
  - o handicap or disability, which covers a broad range of conditions including, but not limited to, physical and mental disabilities and physical conditions or traits such as obesity or disfigurement.

These are examples only, and additional Prohibited Grounds may apply. For further details, please consult with Human Resources.

More detailed information and commentary about each of the Prohibited Grounds can be found at the Ontario Human Rights Commission's website: <http://www.ohrc.on.ca/en> (click under the heading "Code Grounds").

An individual does not have to intend to discriminate for the behaviour to be discrimination. It is enough if the individual knew or ought reasonably to have known that his or her behaviour would be inappropriate or unwelcome. Discrimination often leads to harassment.

### 2.1 WHAT ARE SOME EXAMPLES OF DISCRIMINATION?

It is not possible to identify each and every act that constitutes discrimination. By way of example, discrimination can include:

- derogatory comments and other vocal activity
- stereotyping (assuming an employee has certain traits, qualities or beliefs)
- racial, ethnic, or religious jokes, slurs, nicknames, or mimicry (oral or written or graphic)
- practical jokes that cause awkwardness or embarrassment
- persisting with comments or jokes after becoming aware that the behaviour is unwelcome
- offering or withholding favours or employment benefits such as promotions, favourable evaluations, favourable assigned duties or shifts, conditioned on or related to a characteristic protected by any Prohibited Ground
- any unwanted physical touching; blocking or impeding movements.

Most of us are familiar with typical and obvious examples of discrimination. The challenge lies in recognizing less obvious examples of discrimination, such as making assumptions based on traits.

We emphasize again that an individual does not have to intend to discriminate for the behaviour to be discrimination. It is the effect of the behaviour that matters, even when that effect is unintended.

## 3. What is harassment? How is it different from sexual harassment?

Certain kinds of harassment and sexual harassment are forms of discrimination that are prohibited by the Code. That kind of harassment is improper behaviour (whether intentional or not) that:

- is directed toward one or more employees, and
- is intimidating, offensive, embarrassing or humiliating, interferes with work performance or job security, or creates an intimidating, hostile or offensive working environment, and
- is related to one or more of the Prohibited Grounds, and
- the offender knew or ought reasonably to have known would be inappropriate or unwelcome.

Sexual harassment is another form of harassment that is sexual in nature – meaning it is specifically related to sex, gender or sexual orientation. Sexual harassment can be directed at people of the same sex or sexual orientation, or those of the opposite sex or sexual orientation. Sexism – discrimination on the basis of sex or gender - is different from sexual harassment.

Discriminatory harassment typically involves a course of conduct or a pattern of behaviour, including more than one incident. However, one single incident, if sufficiently serious, can constitute harassment.

We emphasize again that an individual does not have to intend to harass for the behaviour to be harassment...it is the effect of the behaviour that matters, even when that effect is unintended.

### 3.1 WHAT ARE SOME EXAMPLES OF (NON-SEXUAL) DISCRIMINATORY HARASSMENT?

Usually, discriminatory harassment consists of the same behaviour listed under the examples of discrimination. Again, it is not possible to identify each and every act that constitutes such harassment.

### 3.2 WHAT ARE SOME EXAMPLES OF DISCRIMINATORY SEXUAL HARASSMENT?

Again, it is not possible to identify each and every act that constitutes sexual harassment.

By way of example, sexual harassment can include:

- unwelcome flirtations, advances, propositions, requests for sexual favours; lewd or suggestive comments and other vocal activity such as catcalls, whistles and kissing sounds
- vulgar or sexual jokes (oral, written, graphic or via gestures)
- continuing to express sexual interest after becoming aware that the interest is unwelcome
- retaliating against an employee for refusing a sexual advance or for reporting an incident of possible sexual harassment to the Company or any government agency
- offering or withholding favours or employment benefits such as promotions, favourable evaluations, favourable assigned duties or shifts, conditioned on the employee providing or refusing sexual favours
- any unwanted physical touching; blocking or impeding movements.

Of course, the conduct described above would typically constitute “workplace sexual harassment”, too – see Section 3.3.

*Displaying or sharing pornography in the workplace is a form of sexual harassment.* Nobody is ever allowed to use the Company’s workplace, equipment, systems or resources to access, create, send, display, download or store obscene and pornographic images or language, nor any form of sexually explicit or harassing images, words or any other material. Anyone who violates these rules may face criminal charges or other legal consequences, independent of any penalties imposed by the Company for the breach of this Policy. Remember that the Company reserves the right to monitor (and will, in fact, monitor) equipment and systems for various reasons, including for compliance with this Policy. ***We remind you that users of the Company’s equipment and systems can have no expectation of privacy,***

*even if passwords and other security devices are used, and even though the Company permits reasonable personal use of our equipment and systems.*

### 3.3 WHAT IS NOT SEXUAL HARASSMENT?

Normally, unless an individual was or should have been aware that his or her interest or comments are unwelcome, asking a co-worker out on a date or giving an occasional polite “that is a nice dress” or “that is a nice haircut” compliment to a co-worker is not sexual harassment.

### 3.4 WHAT IS WORKPLACE HARASSMENT?

Workplace harassment is another form of harassment prohibited under this Policy. (This form of harassment does not need to be related to the Prohibited Grounds.)

Under the Ontario Occupational Health & Safety Act (“OHSA”) workplace harassment means:

- (a) engaging in a course of vexatious comment or conduct against a worker in our workplace that is known or ought reasonably to be known to be unwelcome; or,
- (b) workplace sexual harassment.

Under the OHSA, workplace sexual harassment means:

- (i) engaging in a course of vexatious comment or conduct against a worker in our workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (ii) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

The definition of workplace harassment is broad enough to include what is sometimes called **psychological harassment** or **personal harassment** and various forms of **bullying**.

### 3.5 WHAT ARE SOME EXAMPLES OF WORKPLACE HARASSMENT?

Again, it is not possible to identify each and every act that constitutes workplace harassment. However, be aware that the law takes a very broad view of what constitutes harassment in the workplace.

The conduct described earlier in Section 10 would typically constitute workplace sexual harassment.

Non-sexual workplace harassment might include, by way of example:

- unwelcome practical jokes, mimicry or other disparaging or humiliating conduct
- use of abusive or insulting language, yelling and other aggressive or humiliating verbal conduct
- public belittlement (verbal or written), “cold-shouldering” or other deliberately isolating conduct, or other contemptuous or disrespectful treatment.



### 3.6 WHAT IS NOT WORKPLACE HARASSMENT?

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. Normally, when a manager or supervisor with the authority to do so gives appropriate guidance, feedback or instruction in the workplace, or takes appropriate disciplinary action, that is not workplace harassment. Similarly, unless improperly motivated, changes to work assignments, scheduling, inspections, implementation of dress code, and other routine workplace actions do not qualify as workplace harassment.

## 4. What is workplace violence?

Under the OHSA, workplace violence means the threat, attempt or use of physical force that might injure a worker, in the workplace. Further, although we have limited control over the outside environment, our Policy is also concerned with the possibility of violence in the course of employment outside the workplace.

The bottom line: behavior that affects our workplace, and endangers or threatens our staff, or causes a reasonable fear or intimidation response in any of our staff, is covered by this Policy. We are committed to equipping our staff to avoid, reduce or protect themselves against the risk of workplace violence.

### 4.1 WHAT ARE EXAMPLES OF WORKPLACE VIOLENCE?

Again, it is not possible to identify each and every act that constitutes workplace violence. By way of example, it can include:

- **Intimidation** - statements or behaviour that cause a worker to reasonably fear for his/her own or others' safety in the workplace, such as:
  - prolonged staring in a hostile manner, shouting, blocking or impeding movement, or other aggressive behaviour
  - communications that endorse the use of any kind of weapons or violence in the workplace
- **Threats** - statements or behaviour that it is reasonable to interpret as a threat to exercise physical force in the workplace that could cause injury to any Company staff, such as:
  - direct or veiled verbal threats
  - threatening gestures (for example, shaking fists, throat-slitting or shooting gestures)
- **Violent acts** such as:
  - throwing objects in a malicious manner in the workplace, regardless of the size or type of object being thrown
  - physically touching another person in an intimidating, malicious, or harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, grabbing, and pushing (or any physical action that creates a reasonable apprehension that an individual is about to do any of these things)
  - destroying the Company's or another worker's property in the workplace
- **Possession of weapons** - whether or not it is legal or illegal to possess it

- **Stalking** - an unwelcome pattern of conduct over a period of time, however short, that includes any combination of physical presence, telephone calls, emails and any other type of contacts or communications sent or made by any means
- **Domestic violence** - a pattern of coercive tactics carried out by an abuser against an intimate partner (the victim) with the goal of establishing and maintaining power and control over the victim. These tactics can be physical, psychological, sexual, economic and emotional. Where the abuser's tactics include any of the above-described behaviours on Company premises, this Policy applies. Where such tactics include any of the above described behaviours off Company premises, this Policy applies where the abuser is someone who is acting as a Company employee or representative at the time, or where the victim is being exposed to the conduct because of work for the Company, or where there is a reasonable basis for believing that violence may occur against the victim or others at the Company's workplace or at work-related events.

## 5. What should you do about discrimination, harassment or violence?

If you experience or become aware of discrimination or harassment or violence involving an individual covered by this Policy, then no matter what:

- please do not ignore the behaviour... typically, ignoring discrimination, harassment or violence does not make it go away and in some cases perpetuates the behaviour
- do not blame yourself or feel guilty about taking steps to address the behaviour... the individual who is discriminating or harassing or violent is responsible for his or her own behaviour.

**Follow the attached Respectful Workplace Policy Implementation Program, which is designed to support and implement this Policy.**

## 6. Respectful Workplace Policy Implementation Program

Every individual has a responsibility to comply with and support this Policy and the Implementation Program outlined below.

### Quick Procedure Summary: Discrimination and Harassment

- If you're comfortable doing so, approach the person and ask them to stop the offending behaviour.
- We strongly urge you to bring it to the attention of a manager or Human Resources.
- If you are a supervisor or manager, you must bring it to the attention of Human Resources immediately.

### Quick Procedure Summary: Workplace Violence

- **IF THE SITUATION REQUIRES IMMEDIATE ATTENTION, CALL 9-1-1 AND/OR NOTIFY SECURITY IMMEDIATELY;** after that, report the situation to your manager and Human Resources.
- If you are aware of a person with a history of violence, or believe that a co-worker may be suffering domestic abuse that could result in violence in the workplace, contact Human Resources.
- We strongly urge you to bring all concerns to the attention of a manager or Human Resources immediately.
- If you are a supervisor or manager, and: (i) you are aware of a person with a history of violence, or believe that a co-worker may be suffering domestic abuse that could result in violence in the workplace; or (ii) you experience or witness or become aware of any workplace violence, you **must** bring it to the attention of Human Resources immediately.

### 6.1. STEPS TO FOLLOW FOR ANY CONCERN, INCIDENT OR COMPLAINT:

*Note:* Human Resources is the primary contact for purposes of this Policy. If, however, the incident or complaint involves a member of Human Resources, then Deputy General Counsel is the “**Designated Alternate**” for purposes of this Policy.

### 6.2. STEP 1

#### 6.2.1. DISCRIMINATION AND HARASSMENT

If you experience or become aware of discrimination or harassment involving an individual covered by this Policy, the Company encourages you to immediately make it clear to the offender that his or her behaviour is unwelcome and offensive. Be specific about the exact behaviour you want stopped, and why. Often people will respond appropriately to a direct communication of disapproval, and in many cases, that will be enough to put an end to the matter.

However, the Company recognizes that sometimes, either you may not feel confident or comfortable or safe in confronting the individual, or doing so simply does not work. In that case, make a written record of the date, time, details of the conduct, and witnesses, if any, and proceed to Step 2.

### 6.2.2. WORKPLACE VIOLENCE

Individuals witnessing or experiencing violence are to protect themselves first, and if possible others, departing the situation as quickly as possible. Force should not be met with force unless it is imperative to self-protection from injury. Provocative words should be met with silence, not argument which might escalate the situation.

Note: Any emergency assistance required (Security, police, ambulance) is to be contacted first. If the situation requires immediate attention, call 9-1-1 and/or notify Security immediately; after that, report the situation to your manager, Human Resources and any member of the Joint Health & Safety Committee.

Human Resources or the Designated Alternate (or any manager, if Human Resources or the Designated Alternate is not available) is to be alerted immediately to the incident.

### 6.3. STEP 2

Where Step 1 is not appropriate or does not resolve the situation, then the Company strongly urges you to notify Human Resources (or the Designated Alternate) as soon as possible, so they can provide support and assistance to address the situation.

The Company's supervisors or managers **MUST** immediately notify Human Resources (or the Designated Alternate) if they:

- receive a complaint or become aware of any concern or incident that may be a violation of this Policy
- become aware of a person with a history of violence, or believe that a co-worker may be suffering domestic abuse that could result in violence in the workplace, or
- experience or witness or become aware of any potential workplace violence or other potential violation of this Policy,

so that Human Resources (or the Designated Alternate) can take appropriate action and provide appropriate support and guidance.

(Workers have the right to refuse work if they have reason to believe that workplace violence is likely to endanger them. If you have any questions about your right to refuse to work on these grounds, or wish to invoke that right, please contact Human Resources or the Designated Alternate or a manager, if Human Resources or the Designated Alternate is not available. Alternatively, you may wish to visit this site for further information: [http://www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag\\_part5.php](http://www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag_part5.php))

Remember, the Company can only address a problem when we know about it. When individuals stay silent, we lose the opportunity to make our workplace environment as respectful, safe and healthy as we all want it to be.

#### 6.4. STEP 3

Once you notify Human Resources (or the Designated Alternate) under Step 2, in appropriate circumstances you may wish to have the matter treated as an informal complaint. In that case, Human Resources (or the Designated Alternate) will make an informal attempt to resolve the situation.

Where an informal complaint process would not be appropriate, or proves to be ineffective, the alternative (or next) step is a formal complaint.

#### 6.5. STEP 4

To file a formal complaint, provide a brief report of the concern(s) or incident(s), including:

- details of the conduct including the date(s), time(s), frequency and location(s)
- names, positions and contact information (if known) of those involved
- names, positions and contact information (if known) of any potential witness or other person you believe may have observed or have relevant knowledge, information or belief about the incident(s)
- copies of any relevant supporting documents you may have
- a list of any relevant documents you believe the alleged offender, any witness or other person may have.

Sign and date the complaint and deliver it to Human Resources (or the Designated Alternate). Keep a copy for yourself.

(Alternatively, if you need to provide this report verbally, Human Resources (or the Designated Alternate) will help prepare the written report for you to sign.)

#### 6.6. OUTSIDE ASSISTANCE

A number of government agencies have been established to prevent and redress discrimination or harassment. Additionally, government resources are available to assist with concerns about workplace violence. Please understand that nothing in this Policy prevents or discourages you from contacting the appropriate government agency if you have concerns or complaints concerning discrimination, harassment or workplace violence. For contact information, see Section I, “Where do I go for more information?”

## 7. Can you report a concern or incident or make a complaint anonymously?

Yes. However, you must understand that it is much more difficult to assess or verify anonymous reports, and as a result, the Company may be hampered in its ability to fully investigate and address the problem.

## 8. What are your rights if you report a concern or incident or make a complaint?

If you report a concern or incident or make a complaint (informal or formal), you have the right:

- to make the report or complaint and to obtain a fair and timely investigation of the report or complaint without fear of retaliation
- to be represented or accompanied by another (uninvolved) individual of your choice (including legal counsel) at any stage in the process.

## 9. What are your rights if someone reports a concern or incident or makes a complaint about you?

If someone makes a report or complaint against you (informal or formal), you have the right:

- to be informed in a timely way once a report or complaint has been made
- to be provided with a written summary of the allegations
- to be afforded the opportunity to respond to the report or complaint
- to be represented or accompanied by another (uninvolved) individual of your choice (including legal counsel) at any stage in the process.

## 10. What are your obligations if you are involved in the investigation of a concern, incident or complaint?

- **Co-operation** - All individuals are required to co-operate fully in the investigation and resolution of any concerns, incidents and complaints.
- **Confidentiality** - All individuals (including the complainant, if any, and the alleged offender) are also required to respect the need for confidentiality. This means they must refrain from discussing concerns, incidents or complaints, or the existence of (or their involvement in) any investigation of a concern, incident or complaint, except as strictly required for the purposes of any investigation and resolution, to obtain advice about their rights, or as otherwise compelled by law. ***This is a critically important obligation and any breach of your confidentiality obligation will be treated as serious misconduct.***

## 11. How does the investigation process work?

When a report or complaint is received, the Company will take appropriate steps to investigate and address the matter in a fair and timely manner.

What is appropriate in a given situation will depend on the nature of the report or complaint and other relevant circumstances.

All reports and complaints will be handled in as confidential and timely a manner as possible, consistent with the Company's obligation to conduct a thorough and impartial investigation. In appropriate situations (for example, if the alleged offender is a member of senior management or the Board of Directors) the Company will involve external legal counsel and/or investigators. Human Resources (or the Designated Alternate) will be responsible to conduct (or arrange for) the investigation.

Note that:

- To ensure fairness to all involved, disclosure of information will be minimized on a strictly "need to know" basis. The Company will not disclose information obtained about a concern, incident or complaint, including identifying information about any individuals involved, except to the extent necessary to protect workers, and for the purposes of investigating a concern, incident or complaint, taking disciplinary or remedial action, contacting law enforcement officials or taking legal action, or where such disclosure is required by law.
- The complainant and the alleged offender (if a worker of the Company): (1) will be kept reasonably apprised of the steps to be taken and expected timetable; and (2) will be informed in writing of the results of the investigation and any corrective action that has been taken (or will be taken). However, specific disciplinary actions will not be disclosed to a complainant unless required by law. Where necessary, their supervisors and managers may also be informed.

Subject always to OHSA requirements, the extent to which information is released, to whom it is released, and the form/content of that information, are each matters to be decided in the Company's sole discretion (and for clarity, the parties are not automatically entitled to receive copies of any materials, statements or reports that form part of the investigation).

While a concern, incident or complaint is being investigated, the Company reserves the right to take appropriate interim measures and remedial action against the offender (e.g., suspension with or without pay; temporary schedule changes or temporary re-assignment; re-training).

The complainant, any alleged offender and any witnesses will be separately interviewed. They may be asked to provide signed statements. Follow-up interviews to deal with new information or inconsistencies may be conducted.

The circumstances of the incident, complaint and investigation will be documented in detail, including responses of the alleged offender and witness statements. Once the investigation is completed, the Company will determine:

- whether the acts complained of constitute discrimination, harassment or violence, and if so, the appropriate disciplinary or remedial actions to be taken
- whether the complainant falsely accused the alleged offender knowingly or in a malicious or retaliatory manner, and if so, the appropriate disciplinary or remedial actions to be taken.

Where a concern, incident or complaint is substantiated, the Company will take appropriate disciplinary and remedial action against the offender. In appropriate situations, the Company may contact law enforcement officials or initiate legal action.

Where a concern, incident or complaint is not substantiated, as long as the report or complaint was made in good faith, there will be no repercussions against the complainant. However, if a complainant falsely accuses someone, knowingly or in a malicious or retaliatory manner, that false accusation constitutes a breach of this Policy, and appropriate action will be taken.

The Company will keep a confidential record of each incident and complaint, including a copy of any report or complaint; a record of the investigation including notes; copies of any witness statements; a copy of any investigation report; a copy of the notification of results and corrective actions provided to the complainant and alleged offender; and a record of the corrective action taken. The record will be retained for no less than one year. The Company will not disclose this record, except to the extent necessary for the purposes of investigating a concern, incident or complaint, taking disciplinary or remedial action, contacting law enforcement officials or taking legal action, or where such disclosure is required by law.

## **12. What kinds of disciplinary and remedial action will the Company take if this Policy is breached?**

Whenever any individual is found to have engaged in conduct that constitutes a breach of this Policy, the Company will take appropriate disciplinary and remedial action to address and correct the situation. In appropriate situations, the Company may contact law enforcement officials or initiate legal action.

Disciplinary steps range from informal (e.g. a verbal reprimand) to formal (e.g. a suspension without pay), and from less serious to more serious (e.g. a demotion), up to and including, in appropriate cases, termination for cause or cancellation of an engagement/contract.

Remedial steps range from unstructured (e.g. requiring an apology; rearranging work space) to more structured (e.g. rearranging reporting relationships; requiring attendance at harassment/sensitivity/anger management training sessions).

If the offender is not a worker, the Company will take available appropriate action (e.g. notification of the individual's employer, cancellation of a contract or a ban from the premises).

The selection of the appropriate disciplinary and remedial action, or any action to be taken, will be in the Company's sole discretion. What is appropriate in any given situation will vary, and will depend on a number of factors including (among other things) the nature and seriousness of the problem, and whether this is a new or recurrent problem.



As noted earlier, the Company also reserves the right to take appropriate interim measures and remedial action against an alleged offender, while a concern, incident or complaint is being investigated (e.g., suspension with or without pay; temporary schedule changes or temporary re-assignment; re-training).

### 13. What about retaliation?

If any individual retaliates against an individual for reporting a concern or incident, filing a complaint or for participating in or co-operating with an investigation under this Policy, that retaliation constitutes a breach of this Policy.

Where a concern, incident or complaint is substantiated, the complainant, if any, and witnesses may be contacted by Human Resources (or the Designated Alternate) on a periodic follow-up basis, to ensure that the situation has in fact been resolved and that the complainant and witnesses have not faced retaliation as a result of making a report or complaint or participating in any investigation.

A threat of retaliation or act of retaliation should be reported in the same way as any other breach of this Policy.

### 14. Where do I go for more information?

If you have any questions about this Policy, please contact Human Resources (or the Designated Alternate).

If you wish to discuss a problem or incident or make a complaint, please contact Human Resources (or the Designated Alternate) or alternatively, follow the Steps outlined above.

Additionally:

- For issues concerning discrimination and harassment, you may contact the appropriate provincial Human Rights agency directly. In Ontario, you may wish to visit this site for further information: <http://www.hrlsc.on.ca/en/OntarioSystem.aspx>

Ontario employees may choose to contact the Human Rights Legal Support Centre. The Centre offers human rights legal services to Ontario employees who believe they have experienced discrimination or harassment. For further information, visit this site: <http://www.hrlsc.on.ca>

- For issues concerning workplace harassment or violence, you may contact the appropriate provincial Occupational Health & Safety agency directly. In Ontario, you may wish to visit this site for further information: <https://www.labour.gov.on.ca/english/hs/pubs/wpvh/index.php>

- For issues pertaining to domestic violence in the workplace, the Ministry of Labour references a pamphlet that may help: <http://www.pshsa.ca/products/domestic-violence/>

- You may also choose to contact the Canadian Centre for Occupational Health & Safety. The Centre offers a free, confidential service that provides answers to your workplace Health & Safety questions. You may wish to visit this site for further information: [http://www.ccohs.ca/ccohs/inquiries/inquiries\\_form.html](http://www.ccohs.ca/ccohs/inquiries/inquiries_form.html)

If you need assistance in contacting any of these agencies, please contact Human Resources (or the Designated Alternate), who will provide whatever help you need.

## **15. How does the Company assess the risk of workplace violence and what safety measures does the Company take to reduce risks?**

The Company will conduct a periodic review of working conditions to determine if and where employees may be at risk of violence while working. This will be conducted annually or more often on an as-needed basis, in conjunction with our Joint Health & Safety Committee.

The Company reserves the right to take any measures it deems necessary and lawful for the protection of workers. This includes but is not limited to:

- establishing any rule or practice required to promote a violence-free work environment
- disclosing, as legally required and limited, such information as is necessary to equip individuals to avoid risk and maintain their personal safety and security
- barring or limiting access to premises, to certain individuals
- requiring any visitor or worker to permit a search of coats, bags, etc. before granting entry
- establishing any access protocols, rules, badges, limitations or restrictions deemed necessary, generally or specifically
- declining to do business with any outside organization that fails to comply, to our satisfaction, with appropriate measures to ensure the safety and security of our staff
- accessing outside expert assistance in the management of situations, and the necessary disclosure of information to those parties
- contacting law enforcement officials.

## **16. Awareness Training Program**

The Company will provide information and training sessions to ensure that all staff are aware of and understand our Respectful Workplace Policy and the Implementation Program. For details about upcoming information sessions, please contact Human Resources or the Designated Alternate.

All staff will also be required to complete a mandatory Health & Safety Awareness Training Program. This program will, among other things, instruct them as to their duties and rights at the workplace. For more information about the Company's training program, or if you have questions about whether your prior training will qualify for this purpose, please contact Human Resources or the Designated Alternate.

All staff will also be required to complete a mandatory accessibility and disability awareness training program. This program will, among other things, instruct them as to their duties and rights at the workplace. For more information about the Company's training program, or if you have questions about whether your prior training will qualify for this purpose, please contact Human Resources.

## 17. Policy and Program Review

This Policy and our Implementation Program will be reviewed as often as necessary, but at least annually, to ensure they adequately support our goal of a respectful workplace environment that is free from discrimination, harassment and violence.

Signed on behalf of the Company by:

*Diane Honda*  
Diane Honda (Jul 13, 2020 21:09 PDT)

Signature

Diane Honda  
Name

Director  
Title

Posting Date:

Jul 13, 2020

Next annual review date:

July 2021

By signing this document, you agree that you have read and understood the information above.

Signature

Name (printed)

Date