

## **FREEDOM FROM HARASSMENT**

### **Policy Against Harassment**

The Corporation is committed to providing a work environment that is free from discrimination and unlawful harassment. Harassment of employees, applicants, service providers, consultants or guests by all employees is prohibited. Harassment of employees or applicants by outsiders, including service providers, consultants, guests and others who may have business with the Corporation, and their employees, also is prohibited. Harassment is prohibited in any form, including jokes, slurs, comments, graphics, emails or any other speech or behavior that creates an intimidating, hostile or offensive work environment based on an individual's race, color, religion, sex, national origin or ancestry, citizenship, age, disability, marital status, sexual orientation, gender identity or any other class or status protected by law.

### **Sexual Harassment**

Sexual harassment is a form of prohibited sex discrimination. The Equal Employment Opportunity Commission has issued guidelines under Title VII of the Civil Rights Act of 1964 concerning sexual harassment. The guidelines state that unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to:

1. Verbal harassment (epithets, derogatory statements, jokes, threats, slurs);
2. Physical harassment (touching, pinching, assault, physical interference with one's work or movement);
3. Visual harassment (posters, cartoons, calendars, pictures, drawings); or
4. Sexual innuendo and demands for sexual favors (unwelcome sexual statements or advances).

Sexual harassment refers not only to physical conduct, but also to verbal requests, demands or comments, whether they are face-to-face, in writing, on the telephone, by electronic mail or the Internet. Sexual harassment may involve individuals of the same or different genders and is prohibited whether directed toward men or women and regardless of whether the targeted individual accepts or rejects the advances or other offending behavior.

Sexual harassment is unacceptable in the workplace and in other work-related settings, such as business trips or business meetings outside of the office.

## **Complaint Procedure**

The Corporation strongly encourages all employees to take responsive action to any perceived incidents of discrimination or harassment of any kind, regardless of the offender's identity or position. The Corporation understands that, depending on the nature of the conduct involved and personal preference, different responses may be appropriate. The Corporation encourages individuals who believe they have been subjected to discriminatory or harassing behavior promptly to advise the offender that his/her behavior is offensive and/or unwelcome and request that it stop. Often this action alone will resolve the problem. It is never necessary, however, for an individual to talk directly to an offender if for any reason that individual feels uncomfortable doing so.

If an individual does not wish to confront the offender directly, or if such a discussion does not successfully end the discrimination or harassment, the individual should notify their supervisor or the Vice President, Chief Administrative Officer and Corporate Secretary. If this is not appropriate, or if the supervisor or Vice President is not available, the incident should be reported to the Human Resources Manager. If this is also inappropriate, then the incident should be reported to the Chief of Staff and Operations. In addition, employees must report harassment of others or complaints of harassment by others. This will enable the Corporation to investigate and resolve any problem promptly and effectively.

Investigations of workplace harassment will be treated with confidentiality appropriate to the circumstances. Any employee who is found to have engaged in harassment or retaliation will be subject to disciplinary action, up to and including termination.

## **Retaliation**

The Corporation prohibits coercion, intimidation, interference or any other form of retaliation against any individual who claims harassment or discrimination, or who makes a complaint or assists in any investigation of harassment or discrimination. Retaliation will be viewed by the Corporation with the same degree of seriousness as the alleged illegal act itself.

## **Consensual Relationships**

Consensual personal relationships between individuals at the Corporation are not prohibited by this policy. Those who engage in such relationships, however, should be aware that questions may later arise regarding the actual freedom of choice of the parties, particularly when a superior/subordinate relationship exists between them. The respect and trust accorded a more senior and management person by a subordinate employee, as well as the power held by a more senior person in evaluating or otherwise supervising the lower-level person, could diminish the extent to which the lower-level employee feels free to choose. All employees should be aware of the possible risks of an apparently consensual romantic and/or sexual relationship. Any employee, who enters into a romantic and/or sexual relationship with another employee, where there exists a difference in seniority or supervising authority between the individuals involved, should be aware that if a complaint of sexual harassment is subsequently made, it could be exceedingly difficult to prove mutual consent.