

WHAT CONSTITUTES A RESPECTFUL WORKPLACE?

A respectful workplace is one where every person in the workplace is free from discrimination and harassment. Canada Kuwait Petrochemical Corporation (the "Corporation") and its affiliates, collectively known as "CKPC", are committed to providing a workplace that is pleasant, healthy, comfortable, and free from intimidation, hostility or other offenses which might interfere with work performance. Employees are expected to treat each other with mutual respect, fairness and dignity. Discrimination or harassment of any sort will not be tolerated. The purpose of this policy is to create a respectful workplace through the prevention and quick resolution of harassment and/or discrimination.

WHAT IS DISCRIMINATION?

Discrimination means any unjust practice or unfair behaviour, whether intentional or not, based on race, ancestry, national/ethnic/place of origin, color, religion/religious beliefs, age, sex/gender, sexual orientation, marital status, family status, disability, class of persons, source of income, or pardoned conviction, of an individual or group, which has a negative effect on that individual or group. Discriminatory behaviour often leads to harassment and has a negative social and economic impact. It also leads to unequal treatment, which in turn, creates problems within the workplace and communities.

WHAT IS HARASSMENT?

Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, ancestry, national/ethnic/place of origin, color, religion/religious beliefs, age, sex/gender, sexual orientation, marital status, family status, disability, class of persons, source of income, or pardoned conviction, and that the offending individual knew or ought reasonably to have known would cause offense or harm.

Harassment can take many forms. It may include, but is not limited to: objectionable acts or comments, displays, signs, jokes, or pranks, that demeans, belittles, or causes personal humiliation or embarrassment, and any act of intimidation, threat, physical contact, or violence. Harassment is not necessarily sexual in nature.

Sexually harassing conduct may include: unwelcome sexual advances, comments/jokes/innuendos, requests for sexual favors, or any other verbal or physical contact of a sexual nature that prevents an individual from effectively performing the duties of their position or creates an intimidating, hostile, humiliating or offensive working environment, or when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

WHAT ARE MY RESPONSIBILITIES?

All CKPC employees have a responsibility to keep our work environment free of discrimination and harassment. They are responsible to contribute to maintaining a respectful workplace by complying with the policy and ensuring behavior meets the standards set out in this policy. Employees are also responsible for taking appropriate action if they witness harassing incidents. When management becomes aware that discrimination or harassment might exist, it is obligated by law to take prompt and appropriate action, whether or not the victim wants CKPC to do so. It is the responsibility of a director, supervisor, or any person within CKPC supervising one or more employees to take immediate and appropriate action to report or deal with incidents of discrimination or harassment of any type whether brought to their attention or personally observed.

Under no circumstances should a legitimate complaint be dismissed or downplayed or should the complainant be told to deal with it personally.

WHAT SHOULD I DO IF I FEEL I AM BEING HARASSED?

There are several ways to resolve conflict and disputes that involve harassing or discriminatory behavior. Depending on the circumstances, one or more of the following approaches should be undertaken.

Address the Issue Directly

Employees who feel they have been treated in an improper or offensive manner are encouraged to attempt to resolve their concerns through direct communication with the person(s) engaging in the unwelcome conduct. Where comfortable in doing so, employees should tell the offending party that his/her behaviour is unwelcome and ask him/her to stop. Employees should keep a detailed record of all incidents of improper or offensive behaviour (date, times, locations, possible witnesses, what happened and response).

Usually, this approach resolves the conflict. Where the employee is uncomfortable approaching the person(s) engaging in the improper or offensive conduct directly, or where the Employee's direct approach does not resolve their concerns, a facilitated problem-solving discussion is recommended.

Facilitated Problem Solving

If addressing the problem directly does not satisfactorily resolve the conflict, involve a supervisor/manager or Human Resources professional to facilitate a discussion between the two parties.

IF THIS DOES NOT RESOLVE THE PROBLEM:

Mediation

An expert third party mediator, at the mutual agreement of those involved in the conflict, facilitates an understanding of the individuals' issues and interests, and aids in bringing a satisfactory resolution to the conflict.

Formal Complaint

When it is not possible to resolve the conflict using the methods noted above, a formal complaint and investigation may be necessary.

WHAT IS THE PROCESS FOR A FORMAL COMPLAINT?

1. The formal complaint procedure should be implemented in very serious situations and/or when all other means of conflict resolution have failed.
2. Formal complaints must be made in writing, provided to the Manager, Human Resources, or a Human Resources Advisor if the Manager is not available, and contain specific detailed information.
3. The complaint will be investigated by a qualified independent investigator whose responsibilities include: investigation of the complaint, detailing the situation, informing the complainant and the respondent of the findings of the investigation, preparation of a report regarding the incident and preparation of the recommended course of action regarding the situation.
4. The recommended course of action provided by the complaint Investigator will be used as a basis for resolution of the conflict.
5. This process does not limit the right of the individual to file a complaint with the Human Rights Commission or to contact the police in situations where the Criminal Code applies.

WHAT IS INCLUDED IN A FORMAL COMPLAINT?

- Your name
- Work location and department
- Home and work phone numbers
- Type of harassment (i.e. on what prohibited grounds did the harassment occur?)
- Name of the respondent
- What is your relationship with the respondent?
- Details of the complaint
- Description of the objectionable behavior
- What was said or done? How often? Where?
- Circumstances surrounding the incident(s)

- Names of any individuals who witnessed the improper or offensive conduct
- What have you done in response to the objectionable behavior?
- Have you advised the harasser that the behavior was objectionable and must stop?
- Have you advised anyone else of the situation?
- Are you aware of any other individuals who may have been affected by this behaviour?
- Your signature

IS A COMPLAINT CONFIDENTIAL?

Only those who have a need to know will be made aware of any information pertaining to the complaint. The investigation of the complaint will be limited to only those individuals who must be contacted to fulfill the responsibility to investigate, provide a respectful workplace, and resolve the situation.

In this instance confidentiality means that no one talks about the complaint outside the investigative or resolution processes. Complainants should be aware that, as part of the investigation process, respondents will be given sufficient details of a complaint against them to allow the respondent to reply to the allegations against them. For this reason, complete confidentiality cannot be guaranteed.

WHAT IS THE PROCESS FOR DEALING WITH A COMPLAINT?

Within ten (10) working days of the receipt of a formal complaint, Human Resources will ensure the respondent and necessary and appropriate managerial staff receives copies of the complaint. All people receiving information about a complaint must treat that information with strict confidentiality.

The qualified independent Investigator, whose responsibility is to collect evidence pertaining to the complaint, is appointed to investigate the complaint.

The Investigator will, within fifteen (15) days of the formal complaint having been made:

- Ensure the respondent has received a copy of the complaint and a copy of the Respectful Workplace Policy.
- Interview the complainant and the respondent.
- Interview relevant witnesses.
- Collect any relevant documents or other physical evidence.
- Provide a summary of the evidence and tentative findings, a decision as to whether or not harassment has occurred, and a recommended course of action.

WHAT ARE THE CONSEQUENCES OF A FORMAL COMPLAINT?

If it is determined that harassment has occurred, the offending party may be subject to appropriate disciplinary action, up to and including dismissal. CKPC will not retaliate in any way against anyone who files a bona fide complaint or provides information. CKPC further prohibits retaliation by anyone within the Corporation against another employee who makes, or assists with, a complaint in good faith. Retaliation or reprisals against anyone who has reported or has threatened to report an incident of harassment or discrimination is a violation of this policy.

It is important to remember that filing of frivolous or false reports will also be investigated and could result in disciplinary action. It should be noted, however, that an unproven allegation does not necessarily mean that harassment or discrimination did not occur or that there was a deliberate false allegation. It may simply mean there is insufficient evidence to proceed at this time and that while the complainant may have genuinely had reason to believe there was harassment or discrimination, the investigation has not borne out the complaint.

WHAT SHOULD I DO IF I AM ACCUSED OF HARASSMENT?

The Respectful Workplace Policy is based on principles of fairness and due process. You must be notified that a complaint (formal or informal) has been made. When you become aware that a complaint has been made against you, you are encouraged to become involved in order to resolve the conflict constructively.

You should:

- Listen with an open mind.
- Review the Respectful Workplace Policy.

You may want to:

- Involve your supervisor/manager or Human Resources.

CKPC accepts no liability for harassment or discrimination by one employee against another employee. The individual who commits the offending or violent act is personally liable for such actions and their consequences. CKPC will not provide legal, financial or any other assistance to an individual accused of workplace violence if a legal complaint is filed.

WHAT SHOULD I DO IF I WITNESS HARASSMENT?

If you observe an individual experiencing humiliating, degrading, or disrespectful behavior you may wish to offer the individual your support. You should contact Human Resources or a manager for advice regarding appropriate action.

If you observe any incidents that involve a threat to cause bodily harm, assault, sexual assault, or any other risk to the individual you are obligated to report it to the Manager, Human Resources immediately.

WHAT IF THE HARASSMENT IS BY SUPPLIERS, CUSTOMERS, OR MEMBERS OF THE PUBLIC?

The employer's obligation to provide a respectful workplace extends to include circumstances where Employees may be subject to harassment by persons external to the workforce, i.e. clients or members of the public while acting on behalf of the Corporation.

If you are subject to discrimination or harassment by clients or members of the public you are encouraged to report the incident to your supervisor/manager or Human Resources if the discrimination or harassment is of a serious nature or made in circumstances where you feel it may continue or re-occur.

On receipt of a discrimination/harassment complaint, the Employee and supervisor/manager or Human Resources will agree on a course of action appropriate and reasonable in the circumstance to ensure the discrimination/harassment does not continue.

This Policy was last adopted by the Board of Directors on May 23, 2017.