

## Respect in the Workplace Policy

### A. Purpose

Realstar (the "Company") is committed to providing a work environment that is free from discrimination, violence and harassment and one where the dignity and self-esteem of every employee is respected. All employees and visitors, including vendors, suppliers and members of the general public, have a right to work and conduct their business in a safe and secure environment. The Company expects that relationships and any form of communication in our workplace will be free of discrimination, violence and harassment.

Workplace discrimination, violence and harassment in any form will not be tolerated or condoned by the Company. Every effort will be made to identify acts of discrimination, violence and harassment and implement procedures which address these incidents, regardless of whether such conduct is perpetrated by an employee or a member of the public. However, the Company cannot act alone. All employees, particularly managers and supervisors, must assist in creating and maintaining a work environment free from discrimination, violence and harassment.

Upon completion of a thorough investigation, any employee found to have engaged in any act of discrimination, violence or harassment will be subject to discipline, up to and including immediate termination for cause, without further notice.

The purpose of this policy is to provide employees with an effective method, without threat of reprisal, to address prohibited discrimination, violence and harassment.

The Company will provide training on the application of this policy to ensure that all employees are aware of the content of this policy and the conduct that it addresses. This policy will be reviewed on an annual basis to ensure continued compliance with statutory requirements.

### B. Scope

All employees are expected to conduct themselves in accordance with this policy when they are on Company premises, at a Company-sponsored event, such as holiday celebrations or after hours gatherings and when conducting business on behalf of the Company.

### C. Definitions

#### Discrimination

Discrimination is the unequal treatment of persons through practices that are not only overtly discriminatory, but also through practices that have the effect of being discriminatory.

The Ontario *Human Rights Code* prohibits discrimination on the basis of specifically enumerated grounds (the "Prohibited Grounds"): race, ancestry, place of origin, colour, ethnic origin,

citizenship, creed, sex, sexual orientation, age, marital status, family status, disability or record of offences (for which a pardon has been granted).

## **Harassment**

Harassment has been defined in a number of different ways. Generally, harassment means engagement in a course of vexatious comments or conduct that is known, or ought reasonably to be known, to be unwelcome.

In addition, the Ontario *Occupational Health and Safety Act* ("OHS Act") defines workplace harassment to include any conduct, comment or gesture against an employee that is known or ought reasonably to be known to be unwelcome. This includes any action that is likely to cause discomfort, offence or humiliation to any employee, such as bullying or verbally abusive behaviour. Workplace harassment, which is contrary to health and safety legislation, need not be based on one of the Prohibited Grounds to be unlawful.

Workplace harassment can take many forms. Harassment may be, but is not limited to, words spoken or written, signs, unwelcome and persistent advances or propositions, offensive jokes, cartoons, pictures, e-mail jokes or statements, pranks, bullying, intimidation, physical contact or assault or any act of violence.

## **Personal Harassment**

Personal harassment is difficult to define. Personal harassment is sometimes known as bullying. Most people who experience personal harassment know that they are not being treated fairly, but do not see the harassment as linked to gender, race, disability, sexual orientation or other human rights ground. For example, if someone is called an "idiot", this is not covered by human rights legislation, but it is harassment. Personal harassment is abusive, inappropriate behaviour that is nasty, but not discriminatory.

## **Examples**

- Threats, coercion, insults or putdowns
- Actual or threatened physical assault
- Verbal assault, taunting, ostracizing, or exclusion
- Malicious gestures or actions

## **Sexual Harassment**

Sexual harassment includes any conduct, comment, gesture, or contact of a sexual nature that: (i) is likely to cause offence or humiliation to any employee or create a negative psychological or emotional work environment; or (ii) might, on reasonable grounds, be perceived by an employee as placing a condition of a sexual nature on any aspect of the employment relationship, including any opportunity for training or promotion.

## **Workplace Violence**

Workplace violence includes the use, attempted use or threatened use of physical force by a person against an employee in a workplace that causes or could cause physical injury to the employee. Workplace violence includes, but is not limited to, acts of physical violence, threatening behaviour and oral or written threats of violence. Examples of workplace violence include shaking of fists, destroying property, throwing of objects, expression of intent to inflict

harm, swearing, insults or condescending language, bullying, hitting, shoving, pushing or kicking, theft, sexual assault, arson, etc.

### **Domestic Violence**

If the Company becomes aware that an employee may be exposed to domestic violence that could result in physical injury to the employee or others in the workplace, the Company is obligated to take action to protect its employees. Appropriate protective measures will be determined on a case by case basis.

## **D. Complaint Procedure**

The Company recognizes that it may be difficult to come forward with complaints of this nature and will make every reasonable effort to ensure that the privacy of the persons involved in a complaint is protected. To the extent practical and appropriate under the circumstances, confidentiality will be maintained subject to the overriding responsibility of the Company to investigate and deal with complaints and act in accordance with OHSA.

### **What to do in cases of Discrimination, Violence or Harassment**

If you feel you are, or have been, the victim or witness of any form of discrimination, violence, harassment, threat of violence (including domestic violence) in the workplace or have reason to believe that another employee has been subject to acts of discrimination, harassment or violence (including domestic violence), you should immediately take the following steps:

- 1. Corrective Action.** Clearly communicate to the individual that his or her behaviour or conduct is unwelcome. In some cases, this may be sufficient to put an end to the conduct.
- 2. Report the Incident.** Alert your immediate supervisor, or his or her immediate supervisor, or a Human Resources representative if you experience or witness an act that could amount to workplace discrimination, violence (including domestic violence) or harassment.
- 3. Document the Incident.** Take detailed written notes or otherwise record each incident, including, the date, time, place and details of what was said and done, names of possible witnesses and the surrounding circumstances. Complete the "Workplace Violence and Harassment Incident Reporting Form" and submit it to Human Resources.
- 4. Cooperate with the Investigation.** With your assistance, the Company will be able to conduct a timely investigation into the allegations and take appropriate corrective action, if necessary.

The Company will take all reasonable and practical measures to protect workers, acting in good faith, who report workplace violence or act as witnesses, from reprisal or further incidents of harassment or violence.

The Company considers allegations of discrimination, violence and harassment to be serious matters; however in the event that the Company deems the allegations to be "trivial", it may not conduct a full investigation.

## **Investigation of the Complaint**

A supervisor who receives a complaint must immediately advise a representative from the Human Resources department who will be responsible for handling the complaint.

Upon receipt of the complaint, depending on the seriousness of the allegations the Human Resources representative or his or her designate (the "Investigator") will conduct a thorough investigation of the matter. The investigation procedure will include discussions with you as well as the other individual(s) involved.

At the conclusion of the investigation, the Investigator will make one of the following decisions:

- the complaint was substantiated;
- the individual(s) involved voluntarily resolved the matter to your and management's satisfaction; or
- the complaint was not substantiated.

If a complaint is substantiated, the Investigator will provide the Company with proactive steps to avoid a similar incident in the future.

Where Management concludes that it is necessary to impose corrective action against an employee, the range of actions could include such measures as a formal apology, referral to appropriate counseling, reassignment, temporary suspension without pay, demotion or termination, depending upon the seriousness of the offence.

Retaliation against any individual for reporting alleged acts of discrimination, violence or harassment will not be tolerated. Equally, because false accusations can have serious effects on innocent persons, the willful misuse of this policy or making false accusations will not be tolerated and may be grounds for discipline.

## **E. Workplace Violence Prevention Plan**

The Company recognizes that the reporting and investigation procedure set out in Section D, entitled "Complaint Procedure" may not be suitable in all cases of workplace violence. Therefore, the Company has developed the Workplace Violence Prevention Plan. The Plan, which is designed to identify and minimize the risk of violence, has three main components: Risk Management, Training and Emergency Response.

### **Risk Management**

The Company will conduct a violence risk assessment in the workplace. The assessment will focus on identifying the areas and positions within the Company where there is a risk of violence and the degree of risk present. The Company will consider past incidents of workplace violence as well as workplace violence in similar organizations. Based on the results of the assessment, the Company will develop protective mechanisms specifically designed to safeguard employees who occupy the high risk positions and workspaces.

The Company will communicate the results of the risk assessment to the Joint Health and Safety Committee and provide a copy of any written assessment developed by the Company.

## **Risk Management** *(continued...)*

The Company will make every effort to identify possible sources of workplace violence and will take steps to manage or eliminate the associated risk. This includes providing information, including personal information, related to a risk of workplace violence from a person with a known history of violent behavior if:

- the worker can be expected to encounter that person in the course of their work
- the risk of workplace violence is likely to expose the worker to physical injury

The Company will only provide personal information to the extent that is reasonably necessary to protect employees from physical injury.

The Company will reassess the risks of workplace violence as often as is necessary to ensure that the Company's policies and programs continue to protect employees.

## **Shared Responsibility**

All employees are personally accountable and responsible for enforcing the policy and must make every effort to prevent and eliminate violence in the work environment and to intervene immediately by advising a member of management if they observe a problem or if a problem is reported to them.

This policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further incidents of violence.

## **Training**

The Company will provide training on the application of this policy to ensure that all employees are aware of the content of this policy and the conduct that it addresses.

All employees are required to complete the eLearning program "Respect in the Workplace" within the first two weeks of employment. All permanent full-time field employees are required to complete the eLearning program "Manage Conflict for Positive Results". Realstar eLearning programs can be accessed through the employee portal of [www.realstar.ca](http://www.realstar.ca). Realstar training programs may change and will be updated from time to time.

## **Emergency Response**

The Company has implemented an emergency response plan to assist employees in the event that an act of violence occurs in the workplace. In all other cases, employees can refer to the "Complaint Procedure", set out above in Section D.

In the event that an act of violence or a significant and immediate threat of violence occurs in the workplace, remove yourself from the situation immediately and go to a safe location. Contact your immediate supervisor, their supervisor, Human Resources or call 911 if appropriate. Use 2-way radio's, cell phones or other communication devices at the work location to inform any on-site workers of the situation.

Review the important information sheets in the Respect in the Workplace eLearning program and Manager's Administrative Practices Manual to help guide you through dealing with common situations at our work locations where there is a risk a violent incident may occur.

## **F. Safety Representatives**

Members of the Joint Health and Safety Committee (JHSC) are available to assist employees with any safety concerns or situations. If you have questions or concerns related to Realstar's Health and Safety Policies or other safety concerns, you are welcome to contact a JHSC representative at Head Office by e-mailing [healthandsafety@realstar.ca](mailto:healthandsafety@realstar.ca) and someone will reply to you within two business days.

## **G. Managerial Responsibility**

It is important to stress that all employees involved in the supervision of others must, upon becoming aware that acts of discrimination, violence or harassment are occurring, contact a representative from Human Resources even if no formal complaint is made. A person who has the authority to prevent or discourage discrimination, violence or harassment may be held responsible for failing to do so. Under no circumstances should an incident or complaint of discrimination, violence or harassment be overlooked.

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Signed: G. Wayne Squibb  
President

Date: