



## **UEX Corporation Harassment Policy**

UEX Corporation ("UEX") is dedicated to creating and maintaining a work environment in which all employees, consultants and contractors are treated with respect and dignity. Every person has the right to work in an environment that is safe, healthy and free from harassment, violence and discriminatory practices.

Success in achieving our goal of a harassment-free work environment greatly depends upon mutual respect, co-operation and understanding. Attitudes and behaviours that undermine this goal are detrimental to all.

UEX will not tolerate harassment of any sort. Nor will UEX tolerate retaliation or reprisals against any employee who files a complaint alleging harassment or against anyone for having been associated with a person who has invoked this policy.

This policy applies to all employees of UEX and to any individuals from outside of the company in their interaction with UEX employees such as contractors, suppliers, consultants and business partners.

UEX takes harassment seriously and prohibits harassment of any sort with respect to any matter or circumstance arising out of employment or fulfillment of terms as a consultant or contractor. UEX's commitment to a harassment-free workplace extends to:

- Incidents that occur at the workplace or during work hours, including on site residence facilities;
- Conduct perpetrated by another employee (i.e. co-worker or supervisor) or the employer;
- Incidents that occur outside of the usual workplace or after work hours that arise out of or are connected to a worker's employment, such as a work sponsored social event, work related conferences or training sessions and work related travel; and
- Conduct perpetrated by someone other than an employee, but with whom the worker is required to be in contact with in the course of employment.

This policy is not intended to inhibit normal good faith activities or functions undertaken for legitimate workplace purposes. Day-to-day management or supervisory decisions involving work assignments, job assessment and evaluation, workplace inspections, implementation of appropriate dress codes and disciplinary action are not considered to be harassment even if they sometimes involve unpleasant consequences. However, managerial actions must be carried out in a manner that is reasonable and not abusive.

Harassment can exist even where there is no intention to harass or offend. Every person at UEX must comply with this policy and take care to ensure his or her conduct is not offensive to others.

*"signed"*

*Roger Lemaitre, President & CEO*

*June 12, 2019*

## **Policy Implementation**

UEX management will investigate and deal with all concerns, complaints or incidents of workplace harassment in a fair and timely manner while respecting worker's privacy as much as possible. Nothing in this policy prevents or discourages a worker from exercising any other legal avenues that may be available to them under applicable human rights or other laws.

In Saskatchewan, employees also have the right to seek assistance from the Occupational Health and Safety division of the provincial ministry of Advanced Education, Employment and Labour as provided by Saskatchewan legislation.

## **Definitions**

Harassment means any inappropriate conduct, comment, display, action or gesture by a person that constitutes a threat to the health and safety of a person and is either:

- based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, mental or physical disability, physical size or weight, age, nationality, ancestry or place of origin;
- adversely affects the person's psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated.

This type of harassment is prohibited in the *Saskatchewan Occupational Health and Safety Act, 1993* and the *Saskatchewan Human Rights Code*, each as amended. Even a single incident of inappropriate conduct relating to a prohibited ground is considered harassment.

### **Sexual Harassment**

The general definition of harassment also extends to sexual harassment, which is conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome.

Sexual harassment may include:

- A direct or implied threat of reprisal for refusing to comply with a sexually orientated request
- Unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, attire, sex or sexual orientation
- Displaying pornographic or sexually explicit pictures or materials
- Unwelcome physical contact
- Unwelcome invitations or requests, direct or indirect, to engage in behaviour of a sexual nature
- Refusing to work with or have contact with workers because of the sex, gender or sexual orientation

Sexual harassment **does not** include:

- Friendly gestures among co-workers such as a pat on the back, or
- A social or personal relationship welcomed by both individuals

### **Personal Harassment**

Personal harassment is included within the general definition of harassment, but is not based on any of the prohibited grounds defined by human rights legislation. It is sometimes referred to as "bullying".

This includes any inappropriate conduct, comment, display, action or gesture by a person that adversely affects a worker's psychological or physical well being; and the perpetrator knows or ought to reasonably know would cause the worker to be humiliated or intimidated.

Personal harassment must involve repeated conduct or a single serious incident that causes a lasting harmful effect on the worker.

Personal harassment may include:

- Verbal or written abuse or threats
- Insulting, derogatory or degrading comments, jokes or gestures
- Personal ridicule or malicious gossip
- Unjustifiable interference with another's work or work sabotage
- Refusing to work or co-operate with others
- Interference with or vandalizing personal property

Personal harassment **does not** include:

- An isolated incident of a minor nature for which a person has promptly apologized,
- Strongly expressed opinions that are different from others, or
- Free and frank discussion about issues or concerns in the workplace without personal insults.

### **Violence**

Violence is included in the general definition of harassment. It represents an extreme form of any type of harassment. It is described as any action, conduct, threat or gesture towards a specific person or persons that can reasonably be expected to cause harm, injury or illness to that person or persons.

## **Recognizing Harassment**

Workplace harassment can manifest itself in many different ways. It can be blatant such as:

- intimidating or aggressive body language;
- verbal abuse, including offensive language or derogatory remarks,
- "initiations" or pranks; and
- interfering with someone's personal effects, work space or equipment.

It can also take on more subtle forms such as:

- ostracism – deliberately excluding someone from work related activities, not acknowledging or responding to a person's presence or comments, leaving the room when a person enters,
- undermining – persistent and baseless criticism, unwarranted removal of responsibilities, spreading gossip and rumours, and
- sabotage – deliberately giving confusing or contradictory instructions or information, withholding important information or failing to complete tasks or meet deadlines.

## **Reporting Complaints**

A person who considers that he or she has been subjected to harassment (or retaliation for having brought forward a complaint of harassment) is encouraged to bring the matter to the attention of the person(s) responsible for the conduct.

The complainant should, if possible:

1. Approach the harasser and advise that person to stop the offensive conduct
2. Tell the harasser why the conduct is offensive. This can be done verbally, by letter, or by giving or sending a copy of this policy.
3. Document the complaint and keep a record detailing the incident (write down what was said or done, who might have witnessed it, and the date, time and location); or
4. If uncomfortable in bringing the matter directly to the attention of the harasser, or where such an approach is attempted and does not produce a satisfactory result, or where such an approach is inappropriate, the complainant should contact his or her supervising contractor, a safety committee member, or other person of authority in the company.

When an employee comes forward with a complaint to any person in authority he or she will be given the option of proceeding with the complaint through informal or formal means. The employee also maintains the right not to proceed with the complaint. Action must be taken by UEX, however, if the complaint is a criminal matter or in the opinion of UEX management, presents an immediate safety risk.

The person in authority receiving the complaint is responsible for advising the complainant of the options available for proceeding with the complaint. They are as follows:

### **Informal Resolution of the Complaint**

#### *No Alleged Harasser Named*

1. An individual comes forward with a complaint or concern. The person receiving the complaint reviews the complaint procedures with the complainant and informs UEX management of the complaint.

2. UEX management will take appropriate action to address the complaint, such as hold a staff meeting to discuss and review the policy, provide workshops, videos or written information on the prevention of harassment.
3. UEX management will inform the complainant of the action that will be taken to address the complaint or concern.

#### Alleged Harasser Named

1. An individual reports an incident or concern to their supervisor or anyone designated to receive harassment complaints. The complaint should be recorded in writing in a form consistent with the harassment complaint form attached to this policy.

The complainant should indicate the type of resolution and resolution process sought, for example, an apology, supervisory counselling, a facilitated meeting with the alleged harasser, workshops or training sessions and mediation.

2. The person receiving the complaint reviews the complaint procedures with the complainant and informs UEX management of the complaint. Where it is alleged that the supervising contractor is involved in the harassment, the person receiving the complaint should refer the matter directly to UEX management. The person receiving the complaint will also meet privately with the alleged harasser to review the complaint and determine whether there is an agreement on a resolution process.
3. Where there is agreement on the resolution or resolution process to be used, the person receiving the complaint informs UEX management of the agreement and facilitates the agreed upon resolution or resolution process.
4. The complainant is informed that a formal complaint procedure is possible if the complainant, the alleged harasser or UEX management do not agree on a resolution process, or if the resolution process does not resolve the matter to the complainant's satisfaction.
5. Where the complainant and the alleged harasser agree to a resolution, the supervising contractor or UEX management will follow up with the complainant to ensure the agreed resolution was effective in stopping and preventing further harassment. Where the complainant indicates that the harassment has not ended, the supervising contractor or UEX management will counsel the complainant to pursue an alternate resolution process, including a formal investigation.

#### **Formal Resolution of the Complaint**

- 1) An individual reports an incident or concern to their supervisor or anyone designated to receive harassment complaints. The complaint should be in writing and contain the following information to the extent known to the individual:
  - a) Name and job title of the complainant and contact information
  - b) Name and job title of the alleged harasser and available contact information

- c) Description of the conduct, display or events considered objectionable, including dates and location of events
  - d) Names and available contact information of any possible witnesses
  - e) Description of the basis of the alleged harassment
  - f) Remedy sought
  - g) Other information or material the complainant considers relevant
  - h) Signature of the complainant
- 2) The person receiving the complaint reviews the complaint procedures with the complainant and provides a written copy of the complaint to UEX management. Where it is alleged that the supervising contractor is involved in the harassment, the person receiving the complaint should refer the matter directly to UEX management. The person receiving the complaint will also provide a written copy of the complaint to the alleged harasser and review the complaint procedures with the alleged harasser.
  - 3) The person receiving the complaint and UEX management will review the complaint and determine whether the conduct of the alleged harasser falls within the harassment policy and whether there are appropriate resolution options other than investigation acceptable to the complainant and the alleged harasser.
  - 4) Where an investigation is required, UEX management will appoint an investigator or investigative team.

Investigators will be trained in conducting an investigation in accordance with this policy and will have no apparent bias or interest in the outcome of the investigation. Alternatively, the investigator will be chosen from a list of investigators approved by UEX Corporation.

Where the complainant or the alleged harasser objects to the appointment of an investigator, on the basis of bias or conflict of interest, UEX Corporation will appoint another investigator if, in the opinion of UEX Corporation there is an actual or potential conflict of interest in the circumstances.

- 5) Investigators must act in accordance with the following guidelines:
  - a) The investigation commences and concludes as soon as possible
  - b) Witnesses are interviewed separately, and written witness statements are prepared
  - c) Witnesses are asked to review and sign their written statements
  - d) Witnesses are advised to keep the investigation and the identity of the complainant and alleged harasser in confidence, unless they are required to disclose them by law
  - e) The complainant and alleged harasser are entitled to be accompanied by legal counsel during the interview and investigation process
  - f) During the investigation process, both the complainant and the alleged harasser are entitled to be informed of all the allegations made against them and allowed the opportunity to address those allegations in full.

This does not mean that either party is entitled to see or receive copies of the complete statements. However, both are entitled to see or receive an adequate summary of the evidence.

- 6) Once the investigation is complete, investigators will prepare a written report setting out a summary of the evidence, a description of any conflict in the evidence, the conclusions on the facts and reasons for reaching those conclusions, as well as the recommended corrective action where harassment has been found to have occurred.

The investigators' report will be delivered to UEX management, the complainant and the alleged harasser. The report will be marked confidential and delivered with the notation that it should be kept in confidence unless disclosure is required by law or is necessary to implement corrective action or other legal remedies.

- 7) The management of UEX Corporation will then take appropriate and effective corrective action. The complainant and the harasser will be informed of the corrective action.
- 8) After the corrective action has been taken, UEX management will follow up with the complainant to ensure that the corrective action was effective in stopping and preventing harassment. If the complainant indicates that harassment has not ended, or suffers reprisal as a result of making the complaint, UEX management will take additional or alternative corrective action to resolve the complaint. Further investigation may be necessary.

Disciplinary and corrective action may be taken in cases where the complainant has knowingly made a false allegation.

The complainant and the alleged harasser have the right to a written appeal of the results of the investigation and the action taken. Letters of appeal must be delivered to the president of UEX with a copy to the Vice-president, Corporate Relations and the Chief Financial Officer, within 30 days of release of the results of the investigation or such other person designated to receive letters of appeal in respect of the particular complaint.

## **Confidentiality**

UEX Corporation recognizes that harassment can have serious effects, both physical and psychological, on individual employees and on workplaces as a whole.

UEX Corporation or anyone acting on behalf of the company, will keep the name of the complainant or the alleged harasser, as well as any information that may identify the complainant or alleged harasser confidential throughout the investigation process except to the extent the information needs to be disclosed in order to accord with this policy.

All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be regarded as confidential, except where disclosure is required by a disciplinary or other remedial process.

## **Prevention, Training and Awareness**

All employees will be made aware of this policy and will be required to participate in a training session designed to: create awareness about this policy, increase understanding about harassment and the factors that contribute to discrimination and violence in the workplace, and learn how to respond to situations of harassment, discrimination or violence. The training programs will be reviewed and updated as needed to reflect any changes to the policy or increases in the risk of harassment, discrimination or violence.

This policy will be distributed to all employees newly hired and will be posted electronically on UEX's website as well as on bulletin boards in areas where employees generally do not have electronic access to information.

Employees will be made aware of any emergency notification procedures appropriate to each work site with respect to acts of violence (e.g., bomb threats) or how to seek medical attention. These procedures will also be posted electronically on UEX's website and on bulletin boards as necessary.

## **Policy Review**

This policy will be reviewed every three years, and updated as necessary, to ensure that it continues to be effective. The policy will be reviewed and updated more frequently if there are changes that arise that compromise its effectiveness.

## **Records**

Formal written complaints, investigative reports, reports of findings and related correspondence and other documentation prepared under this policy will be kept in confidence at the UEX Corporate office.

In incidents of violence, the report of findings, with identities of individuals involved removed (unless consent has been given) will be provided to the local occupational health and safety committee.

Signed records will be maintained (in paper or electronic form) of the information, instruction and training provided to each employee.

## **Responsibilities**

*The management of UEX is responsible for:*

- Making all employees of UEX aware of this policy through formal training to all employees and supervisors.
- Maintaining oversight of this policy and ensuring that it is adhered to at all work locations, including the corporate office.
- Appointing an investigator to determine whether violations of this policy have occurred.
- Providing advice and support to persons who are subjected to harassment and to alleged harassers.



- Supporting and assisting any employee who complains of harassment by a person who is not an employee of UEX (e.g., suppliers, consultants, contractors).
- Reviewing the investigation report in consultation with the senior manager responsible for the work location to decide on the appropriate course of action.
- Imposing, when necessary, strict disciplinary measures (up to and including dismissal) when a complaint of harassment is substantiated regardless of who the offender might be.
- Reviewing this policy every three years or more frequently if there are changes that arise that compromise its effectiveness.
- Maintaining records as required by this policy.
- Maintaining confidentiality throughout the investigation process to the extent practicable and appropriate under the circumstances.

*Supervising Contractors are responsible for:*

- Receiving informal and formal complaints of harassment from employees.
- Sending copies of formal respectful workplace complaints to the UEX corporate management.
- Consulting with UEX corporate management on the recommended course of action for formal complaints.
- Investigating informal complaints of harassment and working with both parties to achieve a satisfactory conclusion.
- Notifying the local occupational health and safety committee of an incident of violence at the work site that the police are investigating unless this would be prohibited by law, and providing the committee with a copy of the report of findings (with identities removed unless consent has been provided) following the investigation.
- Providing advice and support to persons who are subjected to harassment and to alleged harassers.
- Supporting and assisting any employee who complains of harassment by a person who is not an employee of UEX (e.g., suppliers, consultants, contractors).
- Orienting new employees to this policy at the time that they are hired.
- Maintaining confidentiality throughout the investigation process to the extent practicable and appropriate under the circumstances.

*Employees of UEX are responsible for:*

- Promoting and adhering to the principles of this policy to ensure a harassment free work environment.
- Treating all fellow employees with dignity and respect.
- Addressing situations of perceived harassment directly with the offender (or if it is uncomfortable or inappropriate to do so then reporting instances of harassment to a person of authority in the company) regardless of who the offender might be.
- Presenting formal complaints in writing.
- Maintaining confidentiality throughout the investigation process to the extent practicable and appropriate under the circumstances.

*Employees in supervisory or managerial positions have an additional responsibility and accountability to:*

- Proactively monitor the work environment to ensure a respectful workplace. This includes taking action pursuant to this policy when they become aware of a disrespectful environment within their work groups.

Last reviewed and approved: June 12, 2019

# Harassment Complaint Form

Name of Complainant: \_\_\_\_\_ Contact: \_\_\_\_\_

Work Location: \_\_\_\_\_

Supervising Contractor: \_\_\_\_\_

Name of Person(s) against whom this complaint is made: \_\_\_\_\_

Describe the incident(s) or event that is the basis of this complaint: (indicate dates and location of events).

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List names of possible witnesses:

Name	Position	Contact (phone)
_____	_____	_____
_____	_____	_____
_____	_____	_____

What type of resolution do you seek?

(e.g. supervisor to direct or counsel person to correct conduct; facilitated meeting with alleged harasser; apology; workshops or training sessions; mediations; or other)

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I hereby confirm that the statements contained in this complaint are true to the best of my knowledge. I understand that a copy of this complaint will be provided to \_\_\_\_\_ (alleged harasser) for the purpose of investigating this complaint.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Complainant

I acknowledge receipt of this complaint:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Supervising Contractor