

Workplace Violence and Harassment Policy



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Scope:

The following policy applies to all Bernard Rochefort employees and all management.

Law:

Violence in the workplace can be considered covered under Section 25 (2)(h) of the Occupational Health and Safety Act that states: “Without limiting the strict duty imposed by subsection 1 an employer shall take every precaution reasonable in the circumstances for the protection of the worker.”

Further, issues pertaining to harassment can be found in the Ontario Human Rights Code RSO 1990 Chapter H.19 Section 5(1) that states: “Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, age, record of offences, marital status, family status, or disability.” In 2009, Bill 168, now known as section 32 in the OHSA, was introduced to ensure workers’ rights to a safe and harassment free workplace.

The company’s obligations under Bill 132 refer to updates in the Occupational Health and Safety Act (R.S.O. 1990, Chapter 0.1) most notably in Part III 0.1 Section 32.0.6 to 32.0.8 as of July 1st, 2016.

Policy:

Bernard Rochefort recognizes that each worker has the right to work without fear of personal injury from a violent act or from harassment of any kind. Bernard Rochefort views acts of violence / harassment or threats of violence / harassment of any kind as unacceptable. All workers, managers and owners are required to work and communicate in a manner that is not of a threatening or abusive nature. Any threats from an outside party (public or client) will be treated with the utmost seriousness and, where required, police intervention will be solicited.

Understanding what a violent situation is:

It is very unlikely that a violent incident would develop within Bernard Rochefort. In the unlikely event, however, that a situation does occur, it is important to understand what workplace violence / harassment is. It is important to know that violent situations in the workplace usually don’t “just happen” but rather, follow a pattern of escalating aggression. For example, a situation may develop from annoyance to raised voices then go on to verbal threats and physical gestures then end up in an actual physical act of violence.

You can avoid physical violence by recognizing those signs and by trying to de-escalate or, better yet, avoid that behavior. Violence from external aggressors (ie. robbers, those affected by mental illness, extreme personal distress, etc.) may not be manageable and you must be prepared to take escape action as soon as possible. At that point an emergency police phone call would be warranted.

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There can be violence from:

- Strangers (i.e. public, assaults, etc.)
- Violence by clients/customers in one of two situations: either A (individuals who have a history of violent behavior) or B (clients or customers that become violent due to a situation such as a delay in service or billing errors, etc.)
- Violence by co-workers to co-workers or from a supervisor to a subordinate worker and from a subordinate worker to a supervisor.
- Violence as a result of a personal relationship (for example, a jealous spouse seeking revenge or the unwanted attentions from an amorous co-worker).

Understanding what harassment is:

Harassment means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Harassment can take many forms. It can be masked as racial or ethnic or sexual discrimination, to name a few. It can be a constant barrage of verbal or written comments that bother you by saying or doing of unwanted things of a sexual or gender related or racial basis. It can also be a barrage of abusive language meant to belittle or demean an individual.

It should be noted that a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Security Measures:

Company premises must always be maintained in a secure posture

- Fire exits should be clearly marked and unobstructed, but should not open from outside
- Staff should be identifiable and visitors should be registered before permitting entry
- Visitors should be accompanied by a supervisor or manager within the production area.
- Within reason, telecommunications should be limited to business matters only
- An alarm or notification system should be established and all staff should be trained in its use
- Public entry points must be limited to as few as possible and monitored to ensure that only authorized personnel are permitted inside the premises
- All employees must ensure that a supervisor or manager is aware of the presence of persons who are visiting the premises or persons who have entered without authorization

Procedures:

Informing Employees of the workplace violence and harassment policies:

- All employees of Bernard Rochefort are required to review and sign off on the Bernard Rochefort Workplace Violence and Harassment policies at the time of hiring. All employees will review the program and sign a form acknowledging that they have read and understood the program.
- It should be noted that the Workplace Violence and Harassment policies are included in the Employee Handbook and are also posted on all the Health & Safety Boards on all Bernard Rochefort work sites.
- The policies are also reviewed annually with all Bernard Rochefort employees and signed off by a documented safety talk.

Abusive/threatening phone calls:

- Try to calm the caller by stating you understand their concerns and ask them to be civil so that you can try to provide them with assistance.
- If behavior continues tell them you cannot assist them unless they are civil to you
- Warn the caller that you will hang up unless they are civil.
- If that does not work, terminate the call and advise your supervisor of the incident and complete a report to include the date and time, details of the conversation, duration of the call, gender of the caller, name and phone number if known, approximate age if not along with accent, background noises, etc. Your supervisor will pass this information on to the police.
- The above information can be recorded in an incoming phone call log for abusive or threatening calls.
- Supervisor is to bring this call to the attention of senior management. From there senior management may inform the local police who will provide further recommendations on next steps.

Physical Threats:

- If physically threatened by an aggressor, but he/she has not yet become physically violent, do not do anything to aggravate him/her further.
- Be prepared to take escape action as soon as possible.
- Summon help and call police as soon as possible.
- Record details after the incident and provide these details to your supervisor and the police if they have been called.
- Supervisor should ensure that any post-incident support that is required is given (ie. first aid, debriefing, counseling, legal action, etc.).

Verbal Assaults/Threats:

- Withdraw from the situation immediately and do not put yourself at risk.
- Inform your supervisor immediately.
- Document details in writing.
- Supervisor is required to ensure that the threatened worker is not left alone at work or placed in a situation where he or she is at risk of repeated aggression.
- Where appropriate, the police should be contacted.

Verbal Assaults/Threats from the public:

- Every situation and person is different and often you only have a second or two to assess your safety and decide what to do.
- If you feel safe enough to do so, respond to the harasser calmly, firmly, and without insults or personal attacks.
- If your physical safety is at risk, get to safe place and call 911.
- If you can't leave, ask a bystander to call for you. Looking a bystander directly in the eye and asking for help is often the best way to ensure s/he understand that you need help.

Armed Hold-Up:

- Stand still and keep your hands where they can be seen.
- Do not make any sudden movements.
- Obey the offenders' instructions.

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- Remain calm and quiet.
- Speak only when spoken to.
- Do not shout or provoke the offender.
- Be submissive and do not draw attention to yourself.
- Do not stare at the offender or make eye contact.
- Mentally note, if you can do so safely, the offenders' details, i.e. height, build, hair colour, race, age, any scars or tattoos, speech accent or any names or phrases that they use.
- Allow the offender to leave.
- Do not chase the offender, summon help and call the police.
- Ask any witnesses to remain.
- Immediately seal the area including locking doors to prevent the offender from returning.
- Follow further Police recommendations.

Employers Responsibility:

It is the employer's responsibility to take every reasonable precaution for the protection of the worker. By doing so, the employer has instituted this policy and is responsible for ensuring any threatening physical act is terminated immediately. In addition, it is the responsibility of the employer to ensure that a workplace violence and harassment program is developed and implemented as well as posted in a conspicuous location. Bernard Rochefort will ensure that all reported incidents are investigated in detail and without delay.

Supervisors Responsibility:

It is the supervisor's responsibility to take every precaution reasonable for the protection of the worker. The supervisor shall ensure that the appropriate enforcement of discipline is rendered for any verbal harassment or threat depending on the severity. The supervisor shall record and document all situations reported to him or her of a threatening or harassing nature from their subordinates. It is the supervisor's responsibility to uphold the principle of the company's occupational health and safety program and that all policies and procedures involving workplace safety are clearly communicated and understood. It is the supervisor's responsibility to encourage employees who have been victimized of their legal right to prosecute offenders and to report and log all threats and incidents.

Accountability:

Any supervisor who fails these requirements is accountable to the President and is subject to the progressive disciplinary process.

Workers Responsibility:

It is the worker's responsibility to work in compliance with the company's Health & Safety Policies and Programs in addition to adhering to the Occupational Health and Safety Act and its applicable regulations. It is the worker's responsibility to report all violent or harassment related incidents to his supervisor. If the worker cannot report to the supervisor it is expected that the worker will report to the next level of authority. To participate as required into the investigation of any workplace incident that he/she is involved with. A worker has the right to refuse unsafe work if the threat of violence is perceived to still exist.

If the employer or supervisor is the alleged harasser, the worker will report the incident to the Health & Safety Coordinator.

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Accountability:

Any worker found to have initiated a violent act or harassed a co-worker may be subject to immediate termination or progressive discipline at the discretion of the President.

Measurement/Enforcement:

Acceptance and measurement of this policy will be measured through periodic questioning of staff through the monthly Health and Safety Rep inspections, and enforcement will be applied through the progressive discipline policy. Workers who do not feel they can approach their direct supervisors may report directly to the Health & Safety Coordinator and/or President.

Authority and Approval

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Rhéaume Rochefort

February 1st, 2018

Date:

Workplace Violence and Harassment Policy



Anti-Harassment and Violence

Purpose:

Bernard Rochefort is committed to building and preserving a safe working environment for its employees. In pursuit of this goal, Bernard Rochefort does not condone and will not tolerate acts of harassment and/or violence against or by any Bernard Rochefort employee. As such, this policy prohibits physical or verbal threats – with or without the use of weapons – intimidation, or violence in the workplace to minimize risk of injury or harm resulting from violence to Bernard Rochefort employees.

It is also a violation of Bernard Rochefort's Anti-Harassment and Violence Policy for anyone to knowingly make a false complaint of harassment or violence, or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and/or corrective action, up to and including termination of employment. This policy is to work in conjunction with the Workplace Violence and Harassment Policy.

Workplace Anti-Harassment/Anti-Violence Policy:

Our workplace harassment policy is not meant to stop free speech or to interfere with everyday social relations. However, what one person finds offensive, others may not. Generally, harassment is considered to have taken place if the person knows, or should know, that the behavior is unwelcome. Usually, harassment can be distinguished from normal, mutually acceptable socializing.

Harassment is offensive, insulting, intimidating, and hurtful. It creates an uncomfortable work environment and has no place in employee relationships.

Definitions:

Personal Harassment:

Any unsolicited, unwelcome, disrespectful or offensive behaviour that an underlying sexual, bigoted, ethnic or racial connotation and can be typified as:

- An implied or expressed threat of reprisal for refusal to comply with a sexually oriented request;
- A demand for sexual favours in return for (continued) employment or more favourable employment treatment;
- Unwelcome remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex or sexual orientation and/or based on religion;
- Bragging about sexual prowess;
- Offensive jokes or comments of a sexual nature about an employee;
- Unwelcome language related to gender;
- Displaying of pornographic or sexist pictures or materials;
- Leering (suggestive persistent staring);
- Physical contact such as touching, patting, or pinching, with an underlying sexual connotation; and
- Sexual assault.

Racial / Ethnic Harassment:

Any conduct or comment which causes humiliation to an employee because of their racial or ethnic background, their colour, place of birth, citizenship or ancestry. Examples of conduct which may be racial or ethnic harassment include:

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- Unwelcome remarks, jokes or innuendos about a person's racial or ethnic origin;
- Colour, place of birth, citizenship or ancestry;
- Displaying racist or derogatory pictures or other offensive material;
- Insulting gestures or practical jokes based on racial or ethnic grounds which create awkwardness or embarrassment; and
- Refusing to speak to or work with someone or treating someone differently because of their ethnic or racial background.

Workplace Violence:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that causes or could cause physical injury to the worker; and
- A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that causes or could cause physical injury to the worker.

Bernard Rochefort strictly prohibits violence in the workplace.

We are committed to providing a safe and healthy work environment free from violence, threats of violence, harassment, intimidation and disruptive behaviour for all our employees. Bernard Rochefort firmly believes that by working together with our employees, the risk of workplace violence can be minimized.

In the event that an employee is either directly affected by or witness to any violence in the workplace, it is imperative for the safety of all Bernard Rochefort employees that the incident be reported promptly. Employees should report any violence or potentially violent situations immediately to management, or the Health and Safety Coordinator.

- All reports shall be kept confidential;
- All reports shall be investigated, and dealt with appropriately;
- Any Bernard Rochefort employee who threatens, harasses or abuses another employee, or any other individual at or from the workplace shall be subject to disciplinary action, up to and including termination of employment, and the pursuit of legal action; and
- Violent action, threats and harassment are serious criminal offences, and shall be dealt with appropriately.

Managing and/or coaching (including counseling, performance appraisal, work assignment, and the implementation of disciplinary actions) is not a form of personal harassment, and the policy does not restrict a manager/supervisor's responsibilities in these areas.

Application of this policy:

This policy applies to all those working for the organization including front line employees, contract service providers, managers, officers or directors. The organization will not tolerate personal harassment whether engaged in by fellow employees, managers, officers, directors, or contract service providers of the organization.

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Bernard Rochefort will not tolerate any form of harassment or discrimination against job candidates and employees on any grounds mentioned above, whether during the hiring process or during employment. This commitment applies to such areas as training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

Bernard Rochefort employees are personally accountable and responsible for enforcing this policy and must make every effort to prevent discrimination or harassing behaviour and to intervene immediately if they observe a problem or if a problem is reported to them.

Weapons:

Bernard Rochefort maintains a full and total ban on the possession of weapons on company premises. This includes weapons either kept or transported in any vehicle on Bernard Rochefort premises. Weapons shall be prohibited while conducting business off-site. Weapons shall be defined as, but not limited to: Any gun, knife or other item held with intent to cause bodily harm to any employee.

Procedure for Reporting Discrimination or Harassment:

It is the employer's responsibility to ensure that there is no conflict of interest in the process of reporting and investigation with respect to this policy. The employer must ensure that an employee with a complaint can report to an alternate person if their supervisor is accused.

Informal Procedure

If you believe you have been personally harassed, you may:

- confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or
- discuss the situation with the harasser's supervisor, your supervisor or any other supervisor other than your own.

Any employee who feels discriminated against or harassed can and should, in all confidence and without fear of reprisal, personally report the facts directly to your supervisor or manager.

Formal Procedure

If you believe you have been personally harassed, you may make a written complaint. The written complaint must be delivered to the Health and Safety Coordinator. Your complaint should include:

- the approximate date and time of each incident you wish to report;
- the name of the person or persons involved in each incident;
- the name of any person or persons who witnessed each incident; and
- a full description of what occurred in each incident.

Once a written complaint has been received Bernard Rochefort will complete a thorough investigation. Harassment should not be ignored. Silence can, and often is, interpreted as acceptance. In the rare event that Health and Safety Coordinator is implicated in the harassment, the investigation shall be completed by another senior manager (President) to ensure a proper investigation without bias.

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The investigation will include:

- informing the harasser/s of the complaint;
- interview the complainant, any person involved in the incident and any identified witnesses; and
- interview any other person who may have knowledge of the incidents related to the complaint or any other similar incidents.

A copy of the complaint, detailing the complainant's allegations, is then provided to the respondent(s).

- The respondent is invited to reply in writing to the complainant's allegations and the reply will be made known to the complainant before the case proceeds further.
- The Company will do its best to protect from unnecessary disclosure the details of the incident being investigated and the identities of the complaining party and that of the alleged respondent.
- During the investigation, the complainant and the respondent will be interviewed along with any possible witnesses. Statements from all parties involved will be taken and a decision will be made.
- If necessary, the Company may employ outside assistance or request the use of legal counsel.
- Employees will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they rejected sexual advances of another employee or because they lodged a harassment complaint when they honestly believed they were being harassed.
- Where it is determined that harassment has occurred, a written report of the remedial action will be given to the employees concerned.

If the complainant decides not to lay a formal complaint, Senior Management may decide that a formal complaint is required (based on the investigation of the incident) and will file such document(s) with the person(s) against whom the complaint is laid (the respondent(s)) and the President.

If it is determined that personal harassment has occurred, appropriate disciplinary measures will be taken as soon as possible.

Disciplinary Measures

- If it is determined by the company that any employee has been involved in personal harassing of another employee, immediate disciplinary action will be taken. Such disciplinary action may involve counseling, a formal warning and could result in immediate dismissal without further notice.
- This Anti-Harassment and Violence Policy must never be used to bring fraudulent or malicious complaints against employees. It is important to realize that unfounded/frivolous allegations of personal harassment may cause both the accused person and the company significant damage. If it is determined by the company that any employee has knowingly made false statements regarding an allegation of personal harassment, immediate disciplinary action will be taken. As with any case of dishonesty, disciplinary action may include immediate dismissal without further notice.

Special Circumstances

Should an employee have a legal court order (e.g. restraining order, or "no-contact" order) against another individual, the employee is encouraged to notify his or her supervisor, and to supply a copy of that order to the Human Resources Department. This will likely be required in instances where the employee strongly feels that the aggressor may attempt to contact that employee at Bernard Rochefort in direct violation of the court order. Such information shall be kept confidential.

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If any visitor to Bernard Rochefort workplace is seen by an employee with a weapon (or is known to possess one), makes a verbal threat or assault against an employee or another individual, the employee is required to immediately contact the police, emergency response services, their immediate supervisor, and the Health and Safety Coordinator.

All records of harassment and violence reports, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law.

In cases where criminal proceedings are forthcoming, Bernard Rochefort will assist police agencies, attorneys, insurance companies, and courts to the fullest extent.

Confidentiality:

Bernard Rochefort will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. Bernard Rochefort will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever, unless such disclosure is necessary for an investigation or disciplinary action. Any disciplinary action will be determined by the Company and will be proportional to the seriousness of the behaviour concerned. Bernard Rochefort will also provide appropriate assistance to any employee who is victim of discrimination or harassment.

Employee / Supervisory Roles in Maintaining a Positive Work Environment:

As an employee of Bernard Rochefort, you have the following responsibilities to our workplace. We trust that all of our employees will help us eliminate harassment from our workplace.

Co-worker's Role:

If you are a co-worker who has witnessed harassment in the workplace:

- Inform the harassed person that you have witnessed what you believe to be harassment and that you find it unacceptable. Support is often welcome. If that person does not feel that they have been harassed, then normally the incident should be considered closed.
- Inform the harasser(s) that you have witnessed the act(s) and find it unacceptable.
- Encourage the harassed person to report the incident to their Manager.

Manager's and Management's Role

- Legally, management is responsible for creating and maintaining a harassment-free workplace.
- Managers must be sensitive to the climate in the workplace and address potential problems before those problems become serious.
- If a manager becomes aware of harassment in the workplace and chooses to ignore it, that Manager and the Company risk being named co-respondent in a complaint and may be found liable in legal proceedings brought about by the complainant and/ or local human rights' authorities.

When an employee has asked their manager to deal with a harassment incident, the manager should:

- Support the employee without prejudging the situation.

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- Work with the employee and document the offensive action(s) and have the employee sign a complaint.
- Contact their superior and/or senior management and provide details of the incident on behalf of the employee.

Measurement/Enforcement:

Acceptance and measurement of this policy will be measured through periodic questioning of staff through the monthly Health and Safety Rep inspections, and enforcement will be applied through the progressive discipline policy. Workers who do not feel they can approach their direct supervisors may report directly to the Health & Safety Coordinator and/or President.

Authority and Approval

A handwritten signature in blue ink, consisting of a large, circular loop followed by a horizontal line extending to the right.

Rhéaume Rochefort

Feb 1st, 2018

Date:



Policy:

Bernard Rochefort is committed to building and preserving a positive working environment for its employees. In pursuit of this goal, Bernard Rochefort does not condone and will not tolerate acts of sexual harassment and/or related retaliation against or by any employee.

As such, this policy:

- Provides general definitions for sexual harassment and related retaliation;
- Bans and prohibits sexual harassment and related retaliation; and
- Sets forth procedures for employees to follow when they feel a policy violation has occurred.

It is also a violation of Bernard Rochefort's Sexual Harassment Policy for anyone to knowingly make a false complaint of sexual harassment or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and/or corrective action, up to and including termination of employment.

Definitions:

1. **Appropriate Authority** – Any delegated employee who has the authority to make final decisions regarding employees, harassment claims, and resulting actions.
2. **Complainant** – A person who is or has been subjected to the alleged sexual harassment.
3. **Respondent** – Someone whose alleged conduct is the subject of a complaint.
4. **Workplace Sexual Harassment** – means:
 - Engaging in a course of vexatious comment or conduct against a worker in a 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;
 - 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 in unwelcome.
5. **Retaliatory Acts** – Any retaliation, retribution, or reprisal by a Respondent against any Complainant who reports an incident of alleged sexual harassment, or against any employee who testifies or otherwise participates in an investigation or hearing relating to the allegation of sexual harassment.

Policy and Procedures:

Individuals who believe they have been victimized by an act or acts of sexual harassment should report the incident(s) immediately to the Appropriate Authority. Any delays in reporting acts of sexual harassment can make the case against the Respondent more difficult to establish, and may even result in retaliatory acts by the Respondent.

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It is the employer's responsibility to ensure that there is no conflict of interest in the process of reporting and investigation with respect to this policy. The employer must ensure that an employee with a complaint can report to an alternate person if their supervisor is accused. Workers who do not feel they can approach their direct supervisors may report directly to the Health & Safety Coordinator and/or President.

Report Obligations – Employees

Employees who believe they are victims of sexual harassment in their working environment are advised to first respond to the alleged harasser directly, by objecting and by requesting that the unwelcome behavior stop immediately. If this approach is unsuccessful, Bernard Rochefort must be made aware of all acts of sexual harassment or retaliation in order to take the appropriate action. Thus, individuals who believe they have been subject to or have witnessed acts of sexual harassment or retaliation should report to the Appropriate Authority, or to their supervisor/manager. Delays in reporting may be unavoidable in some circumstances (to be determined on a case-by-case basis).

Report Obligations – Supervisors & Managers

Supervisors and managers are directed to take all appropriate steps to prevent and stop sexual harassment in their areas of responsibility. Any supervisor or manager who is subjected to, witnesses, or is given written or verbal complaints of sexual harassment acts or retaliation shall immediately report it to the Appropriate Authority. Delays in reporting may be unavoidable in some circumstances (to be determined on a case-by-case basis).

Supervisory personnel who are contacted by an individual seeking to file a complaint about sexual harassment in their unit shall assist the complainant in contacting the Appropriate Authority.

Investigation:

Bernard Rochefort seeks to resolve sexual harassment claims as expediently as possible. Investigations shall be conducted, and the appropriate actions taken no longer than 3 business days following the filing of a complaint.

The Appropriate Authority is responsible for determining and administering the methods and means for addressing sexual harassment complaints. The Appropriate Authority is also responsible for:

- Determining the veracity of allegations of sexual harassment or retaliation;
- Determining whether or not a reported act is indeed sexual harassment;
- Resolving the dispute, with the agreement of both parties, where necessary;
- Administering punitive or corrective actions if allegations are true; and/or
- Administering punitive actions if allegations were knowingly falsely made.

Wherever and whenever investigations are conducted, this Policy asserts that Complainants and Respondents have certain rights. These rights include, but are not limited to:

- Receiving written notice of the allegations (where permitted by law);
- Presenting relevant information to the Appropriate Authority; and
- Receiving a copy of the report at the conclusion of the investigation (where permitted by law).

At the conclusion of an investigation, the investigator shall prepare a written report which shall include a statement of factual findings and a determination of whether this Policy has been violated. The report shall be presented for review to law enforcement officials or legal counsel, as necessary.

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Report Handling Procedures

The Appropriate Authority shall advise the Complainant and the Respondent of the resolution of any investigation conducted under this Policy. A copy of the investigative findings shall be provided in writing to the Complainant and the Respondent.

In all cases, Bernard Rochefort's Health and Safety Coordinator shall retain the findings report for a minimum of 3 years or for as long as any administrative or legal action arising out of the complaint is pending.

Confidentiality

All records of sexual harassment reports and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.

Bernard Rochefort will do everything it can to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly and respectfully. Bernard Rochefort will protect this privacy so long as doing so remains consistent with the enforcement of this Policy and adherence to the law.

Assurance Against Retaliation

This policy encourages employees to freely express – in a responsible and orderly fashion – their thoughts, opinions, and feelings regarding sexual harassment complaints. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against the Complainant is strictly prohibited and will result in appropriate disciplinary action. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against any witness providing information about a sexual harassment report, is also strictly prohibited. Acts of retaliation include (but are not limited to) interference, coercion, threats, and restraint.

This Sexual Harassment Policy will not be used to bring fraudulent or malicious complaints against employees. Any complaint made in bad faith, if demonstrated as being such through convincing evidence, will result in disciplinary action being taken against the individual lodging the fraudulent or malicious complaint.

Procedures for Handling Complaints of Sexual Harassment

Once the Complainant lodges a complaint with his/her supervisor or the Appropriate Authority, a discussion will take place that shall be kept confidential, to the extent allowed by the law. If desired by the Complainant, no written record will be kept of this initial discussion. During this discussion, the recipient of the complaint will explain all options available to the Complainant. If the Complainant wishes to proceed further with his or her complaint, the Complainant must then provide a written statement regarding the alleged sexual harassment.

Informal Procedures:

- If desired, the Complainant may attempt to resolve the matter directly with the Respondent. The Complainant must report the resolution, or lack thereof, to the Appropriate Authority.
- The Appropriate Authority may notify the Respondent of the complaint, keeping all such communication confidential. The Appropriate Authority may then implement whatever steps are

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necessary to create an informal resolution that is acceptable to both the Complainant and Respondent.

- If an informal resolution of the complaint is achieved, no record of the complaint will be entered in the Respondent's personnel records. However, the Appropriate Authority will record the occurrence of the complaint and the informal resolution achieved. Again, this record will remain confidential.

Formal Procedures:

- In the case of formal complaints, the Respondent shall have 3 working days to respond, in writing, to the allegation. The Respondent's statement, written on company letterhead, must answer – with specific responses – to each complaint, either admitting, denying, or explaining the allegations against them. The Respondent must sign his or her statement, which will then be attached to the original complaint.
- If a formal hearing is warranted, the Appropriate Authority will conduct a hearing within 5 working days after receiving the request.

Disciplinary Actions

Upon concluding that an instance of sexual harassment has indeed occurred, the Respondent will be subject to disciplinary action, which may result in suspension of duties, or outright termination of employment. Disciplinary actions imposed by the Appropriate Authority will be determined on the basis of the facts of each case and the extent of harm to Bernard Rochefort's interests and business goals.

Timelines

Complainants are always encouraged to file a complaint immediately after an alleged incident of sexual harassment. Nevertheless, Bernard Rochefort is aware that such timely response may not always be possible, due to feelings of humiliation or fear on the Complainant's part. Individuals who believe that they have experienced sexual harassment should lodge a complaint within 24 hours following an alleged incident.

Records

Records of all formal and informal resolutions, hearings, and reviews will be kept by the Health and Safety Coordinator, except where otherwise stated in this Policy. The records will only be available to managerial members, and only in the following circumstances:

1. When determining an appropriate disciplinary action for subsequent sexual harassment complaints.
2. When a Respondent is a candidate for a promotion to a supervisory position.
3. When a complaint against retaliatory action is made.
4. When a decision or resolution is reviewed.

Any records concerning employees will be maintained in accordance with all applicable laws and regulations. Both the Complainant and the Respondent are eligible to obtain copies of hearings or of their own statements made throughout the course of the sexual harassment remediation process.

Measurement/Enforcement:

Acceptance and measurement of this policy will be measured through periodic questioning of staff through the monthly Health and Safety Rep inspections, and enforcement will be applied through the progressive discipline policy. Workers who do not feel they can approach their direct supervisors may report directly to the Health & Safety Coordinator and/or President.

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Authority and Approval

A handwritten signature in blue ink is positioned above a horizontal line. The signature is a cursive-style name that appears to be 'Rheaume Rochefort'.

Rheaume Rochefort

Feb 1st, 2018

Date: