

## HUMAN RESOURCES POLICIES AND PROCEDURES

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<b>Presented by</b> : geneviève bich <b>Approved by</b> : > Human Resources Committee > Board of Directors > President and Chief Executive Officer	<b>Date: April 19, 2021</b>  <b>Date: April 19, 2021</b> <b>Date: April 20, 2021</b> <b>Date: April 20, 2021</b>	<b><u>CIRCULATION:</u></b> > Intranet – HR Policies and Procedures <input checked="" type="checkbox"/> <b><u>DISTRIBUTION</u></b> > All employees  <b><u>EFFECTIVE DATE :</u></b> <b>September 13, 2021</b>

### STATEMENT

METRO INC. recognizes that all the employees of its divisions and affiliated companies are entitled to a work environment in which inclusion, dignity, respect, openness, courtesy and cooperation prevail, and that is free from all forms of discrimination, intimidation, harassment and violence. This policy serves as a framework for awareness, accountability, support and assistance, as well as for the implementation of prevention measures and the diligent handling of all situations, through formal and informal resolution processes.

This policy should be read and enforced in conjunction with METRO's Diversity Policy, which can be found [here](#).

### **1.0** SCOPE

**1.1** This policy applies to all employees of METRO INC., its divisions and affiliated companies (hereafter referred to as "METRO"). It covers all employee interactions, including those between employees and with management, business partners, customers and all other persons.

**1.2** This policy applies to any activity that can be perceived by a reasonable person as work-related, including events and activities of a professional or social nature that may take place outside the workplace, such as charity or networking events, celebrations, training or conferences.

### **2.0** OBJECTIVES

**2.1** Promote and support an environment in which dignity, respect, courtesy and cooperation prevail, and that is free of all forms of intimidation, harassment and violence.

**2.2** Maintain effective mechanisms to prevent incivility, harassment and violence.

**2.3** Maintain effective complaint mechanisms to resolve problematic situations pertaining to the respect and enforcement of this policy in a timely manner, while also providing the necessary support to stakeholders throughout the complaint process.

### **3.0 DEFINITIONS**

#### **3.1 Dignity**

One's personal sense of worth, respect or esteem.

#### **3.2 Respect**

The demonstration of conventions, habits and behaviours that facilitate proper social conduct based on the following:

##### **3.2.1 Openness**

The understanding demonstrated towards others.

##### **3.2.2 Courtesy**

Recognized appropriate behaviours known for promoting a positive relationship between persons, regardless of individual characteristics, status, beliefs, backgrounds and values.

##### **3.2.3 Cooperation**

Working effectively with one or more persons in order to achieve objectives.

#### **3.3 Incivility**

Behaviours that run counter to the definition of respect.

#### **3.4 Program Manager**

Person designated by the Vice President, Human Resources, as being responsible for enforcing and updating this policy.

#### **3.5 Divisional Advisor**

Person designated by the Program Manager as being responsible for enforcing the policy within a division or an affiliated company.

#### **3.6 Workplace Harassment**

Vexatious conduct in the form of repeated behaviours, words, actions or gestures, including of a sexual nature, that are hostile or unwanted, that infringes upon the dignity or the psychological or physical integrity of a person and that results, for that person, in an unhealthy workplace. A single occurrence of serious misconduct can also constitute harassment if it results in serious infringement and produces a continued detrimental effect on the person targeted.

Intimidation and harassment based on any of the following grounds or any other grounds prohibited by applicable laws are forbidden at METRO:

- Age
- Ancestry, colour or race
- Beliefs, including religious beliefs
- Citizenship
- Civil, marital or family status (including single status)
- Disability
- Ethnic or national origin
- Existence of a criminal record

- Gender identity or gender expression
- Language
- Place of origin
- Political convictions
- Sex (including relative to pregnancy and breastfeeding)
- Sexual orientation
- Social condition

This policy and this definition were designed to ensure greater prevention from intimidation and harassment than the legislation in effect in jurisdictions where METRO operates. However, should provincial legislation provide specific definitions related to harassment or grounds thereof that differ from the above, those definitions will prevail for the purposes of enforcing this policy.

### **3.6.1 Examples of harassment**

- Words, insults and vexatious or disparaging gestures.
- Physically or electronically publishing, posting or circulating documents, objects, illustrations or photographs of a pornographic, sexist or homophobic nature.
- Behaviours or words intended to reject, isolate, demean, insult or ridicule a person.
- Conduct involving abuse of power or control, manifested notably by intimidation, humiliation, threats, blackmail or abusive coercion.
- Intimidation of a person by another person or by a group of colleagues (bullying).
- Insistent soliciting of a meeting or meetings of a potentially intimate nature.
- Intimidation, threats, reprisals, denial of promotion, firing or other negative repercussions related to favours not obtained.
- Making or encouraging physical contact, remarks, insults, jokes and comments of a sexual or other nature that infringe upon personal dignity.
- All other manifestations of a sexual or other nature that are offensive to a person.
- Unduly benefit from a status or position of power or authority in order to negatively impact or jeopardize the employment or career of a person.
- Any other manifestation that could constitute infringement upon the physical or psychological integrity of a person.

### **3.7 Workplace Violence**

The following constitutes workplace violence:

- The use by one person against another, in the workplace, of physical force that results or that could result in bodily harm;
- Any attempt to use physical force against a person, in the workplace, that could result in bodily harm; or
- A comment or behaviour that a person can reasonably interpret as a threat to use, in the workplace, physical force against them that could result in bodily harm.

Situations unrelated to work (for example, domestic violence) that may arise through acts of violence at work can be included in this definition.

### **3.8 Examples of situations that do not constitute Workplace Harassment or Violence**

- Intervention of managers in the exercise of their right to manage.
- Management of workplace performance.
- Implementation of corrective or disciplinary measures.
- Differences of opinion or conflicts with colleagues or a manager.
- Accidental acts that result in injuries to another person.

### **4.0 PRINCIPLES AND ELEMENTS**

- 4.1** The employer enforces and promotes a work environment in which dignity and respect prevail and does not tolerate any form of harassment or violence in the workplace.
- 4.2** The employer affirms that incivility, harassment and violence in the workplace are not tolerated and that the responsibility for preventing and eliminating such behaviour is shared by all workplace stakeholders.
- 4.3** The employer promotes the resolution of situations involving non-compliance with this policy through the active participation of all workplace stakeholders, notably the complainant, the respondent, the immediate and hierarchical supervisors, the witnesses (if relevant), the union (if relevant) and any other relevant parties.
- 4.4** The employer does not disclose the name of the parties involved in a complaint or the name of the witnesses called, unless that information is necessary for carrying out the investigation, enforcing the measures taken as a result of the investigation or is required by law.
- 4.5** The parties to a complaint or the witnesses called will not be subject to any reprisals for taking part in the investigation.
- 4.6** If an unfounded complaint is filed malevolently or if a person acts maliciously during the course of the investigation, disciplinary measures up to and including dismissal could be applied.

### **5.0 METHODS**

- 5.1** The employer advises all employees of the benefits of a healthy and safe workplace as well as the repercussions that could result from workplace incivility, harassment or violence, and provides training, as required.
- 5.2** The employer, through the Program Manager, designates Divisional Advisors who will be responsible for assisting all employees in their division or affiliated company in the resolution of problematic situations pertaining to this policy.
- 5.3** The employer provides support to employees who feel that they are victims of workplace harassment or violence and ensures that all employees are aware of the existence of the Employee and Family Assistance Program.
- 5.4** The employer conducts an investigation into the allegations made in the complaint related to the policy and takes appropriate administrative or disciplinary measures up to and including dismissal as may be required.

## **6.0 PROCESS TO FOLLOW**

### **6.1 Incivility**

- 6.1.1** In the event of a situation of incivility, the victim of the behaviour or a witness to that behaviour must verbally advise the respondent that their behaviour is unacceptable and ask that person to stop immediately.
- 6.1.2** If the behaviour persists or if the victim or the witness cannot or does not wish to discuss it with the respondent, the victim or the witness must inform their immediate supervisor or, failing that, the Divisional Advisor.
- 6.1.3** The immediate supervisor or the Divisional Advisor, as the case may be, analyzes the situation and, if the behaviour is considered to be founded, must intervene with the respondent in order to stop said behaviour.
- 6.1.4** If disciplinary measures are required, they will be applied based on the severity of the actions, the absence or presence of regret, the willingness of the respondent to make amends and other generally recognized legal criteria.

### **6.2 Workplace Harassment**

- 6.2.1** Any person who feels they may be the victim of workplace harassment is encouraged to promptly file a complaint with their immediate supervisor or with the Divisional Advisor. If the person's immediate supervisor is the respondent, the complaint is filed with the Divisional Advisor. Any witness to a workplace harassment situation can also report the incident to their immediate supervisor or to the Divisional Advisor. Barring exceptional circumstances, a complaint filed more than two (2) years after the events reported occurred will not be investigated.
- 6.2.2** The complaint can be made verbally or in writing using the form appended to this policy. If the complaint is made verbally, the Divisional Advisor will assist the complainant in filling out the form appended to this policy.
- 6.2.3** The Divisional Advisor or a competent person designated by the Divisional Advisor (the "Investigator") will conduct an investigation into the allegations made in the complaint and will write a confidential report stating their findings and conclusions. The report is written using the template appended to this policy or any other appropriate format. The complete investigation file is kept by the Divisional Advisor.
- 6.2.4** If they work for the employer, the complainant and the respondent will be advised in writing of the results of the investigation and of any corrective measure taken by the employer to resolve the workplace harassment problem, if required, no later than 10 business days after the completion of the investigation. If necessary, the supervisors of the employees involved will also be advised. The same will apply to the unions concerned.
- 6.2.5** The results of the investigation are forwarded to the Director responsible for the respondent and to the Human Resources Department in order for them to ensure the necessary follow-up.

- 6.2.6** If disciplinary measures up to and including dismissal are required, they will be applied based on the severity of the actions, the absence or presence of regret, the willingness of the respondent to make amends and other generally recognized legal criteria.
- 6.2.7** If the investigation reveals improper behaviour without constituting workplace harassment within the meaning of this policy, appropriate administrative or disciplinary measures may be taken.
- 6.2.8** A person in authority who had knowledge of behaviours that contravene this policy and who failed to act may be subject to disciplinary measures up to and including dismissal.
- 6.2.9** A person who disagrees with the result of the investigation can make a request for review with the Program Manager. That request must be sent in writing no later than 30 business days after the notification provided for at step 6.2.4 and must provide the grounds for the request.
- 6.2.10** The Program Manager or the person they designate (the “Reviewer”) analyzes the file in order to determine if the investigation’s conclusions are reasonable considering the facts and elements contained in the file. The Reviewer can confirm the conclusions of the investigation, modify them or, in exceptional circumstances, request further investigation or a new investigation.
- 6.2.11** The Reviewer renders a written decision and provides a summary explanation. That decision is forwarded to the parties and to the Director responsible for the respondent and to the Human Resources Department for follow-up.

### **6.3 Workplace Violence**

- 6.3.1** A victim of workplace violence, or a witness to an act of violence, must inform their immediate supervisor or the Divisional Advisor who must take temporary measures without delay to protect the persons involved from a risk to their health and safety. The supervisor must also inform the Divisional Advisor without delay, if they have not already been informed, as well as the company’s Security and Resiliency Department.
- 6.3.2** The Divisional Advisor analyzes the situation and meets with the complainant. Based on their analysis, they determine whether the temporary protection measures put in place are sufficient or must be modified.
- 6.3.3** The Divisional Advisor or a competent person that they designate (the “Investigator”) must conduct an investigation as quickly as possible, after having informed the Program Manager of the situation. The Investigator prepares a confidential report setting out their findings and conclusions. The complainant and the respondent are advised in writing of the results of the investigation and of the corrective measures taken no more than 10 business days following its completion. The complete file of the investigation is kept by the Divisional Advisor.
- 6.3.4** The results of the investigation are forwarded to the Director responsible for the respondent and to the Human Resources Department in order to ensure follow-up.

- 6.3.5** If disciplinary measures up to and including dismissal are required, they will be applied based on the severity of the actions, the absence or presence of regret, the willingness of the respondent to make amends and other generally recognized legal criteria.
- 6.3.6** If the investigation reveals improper behaviour without constituting workplace violence within the meaning of this policy, appropriate administrative or disciplinary measures may be taken.
- 6.3.7** A person in authority who had knowledge of behaviours that contravene this policy and who failed to act may be subject to disciplinary measures up to and including dismissal.

## **7.0 RESPONSIBILITIES**

### **7.1 The Vice President, Human Resources**

- Ensures that all stakeholders comply with the policy.
- Approves the processes and tools put in place to support the policy.
- Designates the Program Manager as well as the Divisional Advisors.
- Authorizes the recommendations of the Program Manager, as required.
- Intervenes, if necessary, with the Program Manager or the Divisional Advisors.
- Develops, if necessary, a special investigation process to remedy a situation that cannot be resolved through the current process.
- In exceptional circumstances, acts as Program Manager or Divisional Advisor on files requiring their hierarchical level of intervention.
- In cases involving Directors, Senior Directors and members of management, notifies the relevant hierarchical levels.

### **7.2 The Vice Presidents**

- Support the application and enforcement of the policy within their department.
- Ensure the distribution of information concerning the policy within their department.
- Ensure that all managers in their department carry out their roles and responsibilities with respect to the enforcement of the policy and any necessary follow-up.
- Collaborate with the designated Divisional Advisor and the Program Manager in the handling of relevant files and the review of the recommendations.

### **7.3 The Program Manager**

- Ensures and supports the distribution of information relating to the policy within each of METRO's divisions and affiliated companies.
- Ensures that the practices and processes in place comply with the policy.
- Periodically reviews the policy as well as the programs, practices and processes that support it in order to propose improvements.
- Determines, in the event of a request for review following an investigation, if there are enough elements to review the conclusions of an investigation report, or delegates someone to do so.
- Meets, within the framework of their mandate, with any person deemed appropriate, in order to thoroughly evaluate a situation.
- Recommends the appropriate actions to the supervisor involved in the situation.
- Follows-up on the enforcement of decisions.
- Collaborates as may be required with the Human Resources Department.

#### **7.4 The Divisional Advisor**

- Receives the workplace harassment or violence complaints and, based on circumstances, investigates it or designates a competent person to conduct it.
- Ensures the necessary follow-up of all investigation reports in compliance with the policy's provisions.
- If necessary, presents the investigation file and its conclusions to the Program Manager.
- Collaborates as may be required with the Human Resources Department.

#### **7.5 The Investigator**

- Ensures that the investigation is kept confidential and that the personal information of the persons involved is not disclosed, unless necessary to conduct the investigation, enforce the measures taken following the investigation or required by law or this policy. The Investigator must remind the parties that the investigation is confidential when it begins.
- Meets individually with the complainant, the respondent, any relevant witness, as well as any other person who has relevant information. If the respondent or an interested party is not employed by the employer, the Investigator must make every reasonable effort to meet with them.
- Ensures that the respondent is given the opportunity to respond to the specific allegations raised by the complainant.
- If necessary, allows the complainant to reply to the respondent's version.
- Collects and examines any relevant documents or material.
- Takes appropriate notes and keeps a written record of any important statement obtained during the interviews.
- Writes a confidential report using the template recommended in the appendix or any appropriate format.
- Advises all those concerned in writing of the results of the investigation and of any corrective measure taken in accordance with the policy.

#### **7.6 The Divisional or affiliated company's Human Resources Department**

- Supports managers in creating and maintaining a healthy and safe work environment and in the diligent resolution of events that could result in problematic situations pertaining to this policy.
- Ensures the necessary support in the management of files related to cases of incivility, harassment complaints and acts of violence.
- Presents the relevant elements of the investigation reports to the persons concerned, when necessary.
- Supports the immediate or hierarchical supervisor in enforcing the measures taken following an investigation report, whether the measures are administrative or disciplinary.
- Follows up on incidents of workplace harassment or violence.
- Informs the health and safety committees of the risks of violence inherent to certain positions and workplaces, as well as the measures and procedures designed to prevent and control them.
- Diligently implements all changes, tools and follow-ups required to comply with legislation specific to a region or a sector of activities and informs the Program Manager who will assess whether the policy needs to be updated.



## **7.7 Employees**

- Fully comply with the policy.
- Do not engage in situations of workplace incivility, harassment or violence, nor ignore them.
- Promptly report to management any situation of workplace harassment or violence, as well as any situation that would lead them to reasonably believe that a case of workplace harassment or violence could occur.
- Inform management of any restraining order or protective order that has been granted when it extends to work locations or any other METRO premises. Upon request, employees must provide a copy of any temporary or permanent order that they have been granted.
- Cannot bring weapons onto the work premises, onto any premises owned by METRO or being occupied or operated by METRO, including METRO vehicles and parking areas owned or operated by METRO.