

PURPOSE:

To provide all employees an environment that is free from discrimination, verbal/physical harassment, violence, sexual harassment and psychological harassment, as per their rights contained within the human rights and occupational health and safety legislation in the province in which each employee works.

SCOPE:

This policy applies to all managers and employees, in addition to co-op students, temporary employees, clients, consultants, subcontractors and contractors. All individuals will be expected to comply with this policy and take appropriate measures to ensure compliance with this policy. This policy applies while in the workplace, on Dynacare premises, or during any work-related events and/or social functions.

DESCRIPTION:

Dynacare is committed to protecting and safeguarding the rights and freedoms of all people to seek, obtain, and hold employment at Dynacare without being subjected to discrimination, harassment, sexual harassment and psychological harassment in the workplace.

Employees are entitled to be treated with dignity and respect and to have a work environment free from harassment and discrimination, including sexual harassment, as prescribed by the relevant legislation.

Employees are expected to assist Dynacare in its attempts to prevent and eliminate harassment and sexual harassment in the workplace. Dynacare will treat any form of harassment or sexual harassment that occurs in the workplace seriously irrespective of the alleged harasser’s position within the company.

Nothing in this policy prevents an individual’s right to file a complaint under the relevant harassment-related legislation should they feel the situation warrants such action.

1. Definition of Discrimination:

Workplace discrimination includes any distinction, exclusion or preference based on the protected grounds in the applicable provincial human rights legislation, which nullifies or impairs equality of opportunity in employment, or equality in the terms and conditions of employment.

The protected grounds of discrimination are:

- race, colour, ancestry, citizenship/nationality, ethnic origin or place of origin
- language
- creed, religion
- political belief
- age
- sex (including pregnancy)
- sexual orientation
- gender expression, gender identity, and gender-determined characteristics
- family, marital (including same-sex partnership) status
- disability or perceived disability
- source of income
- social condition
- conviction, a record of offences for which a pardon has been granted under the *Criminal Records Act* (Canada) and has not been revoked, or an offence in respect of any provincial enactment

2. Definition of Harassment:

Workplace harassment includes psychological harassment and consists of engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute harassment.

Workplace sexual harassment is 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 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 is unwelcome.

No employee, regardless of position or circumstance, may discriminate against, harass, sexually harass or psychologically harass another employee by:

- making unwelcome sexual advances or requests for sexual favours or other verbal or physical conduct of a sexual nature, a condition of an associate’s employment;
- making submission to or rejections of such conduct the basis for employment decisions affecting the employee;
- creating an intimidating, hostile, or offensive environment by such conduct, or
- making rude, degrading or offensive remarks;
- making gestures that seek to intimidate, engaging in reprisals;
- discrediting the employee by spreading rumours, ridiculing, calling into question aspects of the employee’s private life, shouting verbal abuse or sexual harassment;
- belittling the employee by forcing them to perform tasks that are below their station or professional skill level;

- preventing the person from expressing his or her thoughts, e.g., yelling, threatening, constantly interrupting and prohibiting the employee from speaking to others;
- isolating or shunning the employee by not talking to them, ignoring their presence, or isolating them from others; or
- destabilizing the employee by making fun of their beliefs, convictions, tastes or political choices.

Other forms of harassment include, but are not limited to:

- Verbal: including sexual innuendoes, suggestive comments, remarks or jokes about subjects like race, religion, disability or age, sexual propositions, threats.
- Non-verbal: including sexist, racist or other offensive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
- Physical: including unwanted physical contact, including touching, pinching, hugging, patting, brushing the body, coerced sexual intercourse, assault.

This policy prohibits conduct, either overt or subtle, that is sexual in nature, unwelcome, offensive, and/or disrespectful to the rights of others, which in turn, lowers morale and interferes with work effectiveness. However, courteous, mutually respectful, non-coercive interactions which are acceptable to both parties are not considered to be harassment or sexual harassment.

This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace. Reasonable action or conduct by a member of management that is part of his or her normal work function would not normally be considered workplace harassment or sexual harassment. Examples could include changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of dress codes and disciplinary action.

Poisoned Work Environment

A poisoned work environment is created by persistent and serious wrongful comments or conduct that create a hostile or intolerable workplace. The comments or conduct need not be directed at a specific individual, and may be from any individual, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

Conduct that creates or contributes to the creation of a poisoned work environment will not be tolerated at the company and employees found to have engaged in such acts will be subject to discipline up to and including termination.

3. Definition of Workplace and Domestic Violence:

Workplace and domestic violence that may occur in the workplace are health and safety issues.

Workplace Violence:

Workplace violence is:

- 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 could cause physical injury to the worker;
- a statement or behavior that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal.

Workplace violence includes:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects;
- verbal or written threats to physically attack a worker;
- leaving threatening notes or sending threatening emails;
- wielding a weapon at work or an item that may be construed as a weapon (e.g., scissors, utility knife, or other object meant to impose or threaten to impose physical harm);
- stalking someone; and
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

Domestic Violence:

If you are experiencing domestic violence that would likely expose you, or other workers, to physical injury that may occur in the workplace, we will take every precaution reasonable to protect you and your co-workers in the circumstances. Domestic violence occurs when an employee has a personal dispute with a spouse, partner, relative or friend and the spouse, partner, relative or friend comes to the company to harass, threaten or injure the employee.

Precautions may include some, or all of the following:

- creating a safety plan;
- contacting the police;
- establishing enhanced security measures such as a panic button, code words, and door and access security measures;
- screening calls and blocking certain email addresses;

- setting up priority parking or providing escorts to your vehicle or to public transportation;
- adjusting your working hours and location so that they are not predictable; and
- facilitating your access to counselling through the Employee Assistance Program or other community programs.

We appreciate sensitivity of these issues and will do our best to assist you as discreetly as possible while maintaining your privacy.

RESPONSIBILITIES REGARDING HARASSMENT AND SEXUAL HARASSMENT:

Responsibilities of Management:

- Promote a workplace that is free of harassment and sexual harassment;
- Develop and maintain a written workplace policy and program with respect to workplace harassment and sexual harassment in consultation with the Joint Health and Safety Committee;
- Provide employees with information and instruction regarding the workplace policy and program with respect to workplace harassment and sexual harassment including appropriate steps to be taken and investigation procedures;
- Take every reasonable precaution for the protection of the employees;
- Ensure employees understand who to contact regarding concerns about the policy or when to report an incident;
- Ensure the workplace is free from harassment, sexual harassment and discrimination;
- Respond appropriately to complaints brought to their attention;
- Respect the confidentiality and sensitivity of such issues to the extent possible;
- Document all information and investigation results;
- Conduct an investigation into allegations of harassment or sexual harassment; and,
- Take action if witnessing harassment or sexual harassment or elements of a poisoned work environment.

Responsibilities of Employees:

- Comply with this policy by avoiding any behaviour or conduct that could reasonably be interpreted as a violation of this policy;
- Report any instances of discrimination, harassment or sexual harassment; and,
- Maintain a work environment free from discrimination, harassment and sexual harassment.

RESPONSIBILITIES REGARDING WORKPLACE VIOLENCE:

Responsibilities of Management:

- Promote a non-violent workplace;
- Provide employees with information and instruction regarding the workplace policy and program with respect to workplace violence including appropriate steps to be taken and investigation procedures;
- Take every reasonable precaution for the protection of employees;
- Inform employees of potential risk situations;
- Ensure employees understand who to contact regarding concerns about the policy or when to report an incident;
- Model behaviour that helps support a positive work environment;
- Ensure the workplace is free from violence;
- Respond to complaints brought to their attention promptly and appropriately;
- Respect the confidentiality and sensitivity of such issues to the extent possible;
- Document all information and investigation results;
- Request that executive-level management conduct an investigation into allegations of violent situations; and/or,
- Conduct a Risk Assessment and advise the company’s Joint Health and Safety Committee of the results of the Risk Assessment.

Responsibilities of Employees:

- Comply with this policy by avoiding any behaviour or conduct that could reasonably be interpreted as a violation of this policy;
- Maintain a work environment free from violence and/or intimidation;
- Participate in training or information sessions as provided by the company;
- Call 911 if the situation warrants it and they find a peer or themselves in immediate danger;
- Exercise their right to refuse work if workplace violence is likely to endanger that worker; and,
- Co-operate with authorities and investigators.

PROCEDURES FOR INVESTIGATING & RESOLVING WORKPLACE HARASSMENT:

If you believe that you are being harassed, **the first thing to do is to tell the person to stop if you feel comfortable doing so.** Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don’t like their actions is often enough to stop the behaviour.

Some of the things you can say that might stop the behaviour include:

“I don’t want you to do that.”

“Please stop doing or saying...”

“It makes me uncomfortable when you ...”

“I don’t find it funny when you ...”

If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop. Provide details of the next steps you plan to take if the harassment does not stop e.g., filing a formal complaint. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

If you believe that someone who is not a member of our organization, e.g., a customer, supplier, etc., has harassed or discriminated against you, please report the harassment to your supervisor or a member of the Human Resources Department. Although, Dynacare has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

A. Reporting

Everyone has a role to play in creating a harassment free workplace – to accomplish this any employee who is subjected to or has knowledge of discrimination, harassment, sexual harassment or psychological harassment or intimidation is strongly encouraged to immediately report such discrimination, harassment or intimidation. Managers are reminded that they have an obligation to report any instance of harassment immediately. Reporting of instances shall be conducted in accordance with the following procedure:

1. Any employee who believes he or she has been the subject of discrimination, harassment, sexual harassment or psychological harassment should report the alleged act immediately to his or her manager, the Employee hotline[1.800.801.1005 or www.labcorp.com/globalactionline], or to the Human Resources Department.
2. If a complaint involves your manager or supervisor, the complaint shall be filed directly with the Human Resources Department or through the LabCorp Hotline.
3. All complaints will be handled in a timely and confidential manner. In no event will information concerning a complaint be released by the company to third parties or to anyone within the company who is not involved with the investigation, except as

necessary for the purposes of investigating or unless legally required to do so. The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of discrimination, harassment, sexual harassment or psychological harassment and to protect the reputation of any employee wrongfully charged.

4. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witness. Employees shall be guaranteed an impartial and fair investigation.
5. If the investigation reveals that the complaint is valid, prompt attention and disciplinary action designed to stop the discrimination or harassment immediately and to prevent its recurrence shall be taken.
6. The company strictly forbids any form of retaliation by management or fellow employees against any individual who files a discrimination or harassment complaint or gives evidence in a complaint proceeding.

The company encourages any employee to raise questions he or she may have regarding discrimination or harassment with the Human Resources Department or through the Employee hotline [1.800.801.1005 or www.labcorp.com/globalactionline]. It is our mutual responsibility to ensure that we create and maintain a harassment and violence-free workplace and address violence and/or the threat of violence from all possible sources (including customers, clients, employers, supervisors, workers, strangers and domestic/intimate partners).

B. Investigating

If the complaint cannot be resolved informally or if it is too serious to handle on an informal basis, you may bring a formal complaint to the Human Resources Department or through the LabCorp Hotline.

If you bring a formal complaint we will need as much written information as possible, including the name of the person you believe is harassing you, the place, date and time of the incident(s), and the names of any possible witnesses.

It is important that we receive your complaint as soon as possible so that the problem doesn't escalate or happen again. Once we receive your complaint, we will initiate a formal investigation, if it is necessary and appropriate to do so.

Discrimination and harassment are serious matters. Therefore, if you decide not to make a formal complaint, we may still need to investigate the matter and take steps to prevent further harassment. For example, we may need to continue with an investigation if the allegations are serious or if there have been previous complaints or incidents involving the respondent.

Please note that it is very difficult to investigate anonymous complaints unless there are extenuating circumstances so a written formal complaint is the best way to resolve an issue.

The Human Resources department or an outside investigator will commence an investigation as quickly as possible. We may choose to use either an internal or external investigator, depending on the nature of the complaint.

The company will ensure a full, fair, and appropriate investigation is conducted into each incident or allegation of discrimination, harassment, or sexual harassment that it becomes aware of. Investigations will be carried out according to the following guidelines:

- All investigations will be conducted promptly;
- All those directly involved and witnesses will be spoken with;
- Notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy;
- Records or other documents relevant to the incident being investigated (this may include work schedules, complaints and observation notes, and may involve taking pictures of the scene) will be reviewed;
- Relevant employment agreement language and/or company policies/procedures will be reviewed;
- A final summary/report of the investigation will be prepared and submitted to the Vice President, Human Resources and to the Vice President, Legal; and,
- The allegedly and/or actually harassed or sexually harassed employee and the alleged and/or actual harasser or sexual harasser will be informed separately in writing of the results of the investigation and any corrective action taken as a result of the results of the investigation.

The company will investigate the complaint diligently and confidentially to the maximum extent possible. In addition, any negative employment consequences which are found to have resulted from the harassment or sexual harassment will be rectified as much as possible.

It is our goal to complete any investigation and communicate the results to the complainant and respondent within thirty days after we receive a complaint, where possible.

Corrective action:

The Vice President, Human Resource and Vice President, Legal will determine what action should be taken as a result of the investigation. If the situation involves an Executive of the company, the President and LabCorp will be consulted.

The Human Resources Department will inform the complainant and respondent of the results of the investigation and whether (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, Dynacare will take appropriate corrective measures, regardless of the respondent's seniority or position in Dynacare and or its subsidiaries.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counseling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect;
- a demotion or denial of a promotion;
- reassignment or transfer;
- financial penalties such as the denial of a bonus or performance related salary increase; and
- any other disciplinary action deemed appropriate under the circumstances.

If there is insufficient evidence to substantiate the complaint, corrective measures will not be taken.

If you make a complaint, bring forward a concern, or provide information regarding a concern in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. Dynacare will, however, discipline = anyone who brings forth a false and malicious complaint, up to including termination of employment.

PROCEDURE FOR RESOLVING & INVESTIGATING WORKPLACE VIOLENCE COMPLAINTS:

Workplace Violence:

You have the right to refuse work if workplace violence is likely to endanger you. In that instance, please immediately contact your manager at which point appropriate measures will be taken to protect you and investigate the situation. You may be moved to a safe place as near as reasonably possible to your normal work location and will need to be available for the purposes of investigating the incident. In some circumstances, you may be provided with reasonable alternative work during normal working hours.

In appropriate circumstances, we may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence.

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

Nothing in this policy prevents an individual’s right to file a complaint under the relevant legislation should they feel the situation warrants such action.

Investigation procedure for a workplace violence complaint:

You are required to report the existence of any workplace violence or threat of workplace violence to your local / regional manager or to the Human Resources Department immediately. HOWEVER, if you feel the potential for violence is imminent you need to call the police first and then call your direct supervisor. In the case of a complaint regarding your direct supervisor, call the Human Resources Department Directly. The Human Resources Department will commence an investigation as quickly as possible. We may choose to use either an internal or external investigator, depending on the nature of the incident.

Any person who makes substantial threats, exhibits threatening behaviour, or engages in violent acts against employees, visitors, guests, or other individuals while on the company’s property shall be removed from the premises as quickly as safety permits, and shall remain off the premises pending the outcome of an investigation.

Employees are not to remove individuals from the premises themselves. Assistance must be requested from the Police or Security.

The investigation will include:

- conducting interviews of those directly involved, including the alleged offender and witnesses, will be spoken to within 48 hours to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations;
- reviewing any related documentation;
- reviewing relevant employment agreement language and/or company policies/procedures; and
- notes/statements will be prepared during each interview and reviewed by the person(s) being interviewed and signed for accuracy.

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A copy of the report will be provided to the Joint Health and Safety Committee.

Corrective action:

The applicable representative will determine what action should be taken as a result of the investigation.

If a finding of workplace violence is made, Dynacare will take appropriate corrective measures, regardless of the respondent’s seniority or position.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counseling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect;
- a demotion or denial of a promotion;
- reassignment or transfer;
- financial penalties such as the denial of a bonus or performance related salary increase; and
- any other disciplinary action deemed appropriate under the circumstances.

If you make a complaint, bring forward a concern, or provide information regarding a concern in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline or retaliation. Dynacare will however, discipline anyone who deliberately brings forward a false and malicious complaint, up to including termination of employment.

PROCEDURES FOR ADDRESSING DOMESTIC VIOLENCE:

If you are experiencing domestic violence that would expose you to physical injury in the workplace or you are experiencing workplace violence or believe that workplace violence is likely to occur, you may seek immediate assistance by contacting any member of the Human Resources Department. Human Resources will assist in preventing and responding to the situation.

Should the company become aware, directly or indirectly, that an employee is or has been subject to domestic violence, the company as an Employer must act. This could be as a result of the employee telling the company directly or through hearing indirectly that domestic violence is affecting an employee. If an employee admits that he or she is subject to domestic violence but refuses help, the law still requires the company to act. We cannot accept a refusal for assistance as a discharge of our obligations to protect our workers.

Similarly, if the company becomes aware that an employee is a perpetrator of domestic violence, we will act accordingly.

As all employees of the company have a shared responsibility to ensure the health and well-being of one another, any employee who is aware of a domestic violence situation or a potential domestic violence situation affecting a co-worker has a responsibility to report it to Human Resources or anyone in a managerial position with whom he or she is most comfortable disclosing it to.

Employees are responsible for notifying management of any threats which they have witnessed, received, or have been told that another person has witnessed or received including those related to partner violence. Even without an actual threat, employees

should also report any behaviour they have witnessed which they regard as threatening or violent.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behaviour and the person or persons who were threatened or were the focus of the threatening behaviour.

Like any immediate threat of any form of violence, employees of the company should call 911 if the situation warrants it and they find a peer or themselves in immediate danger.

CONFIDENTIALITY OF COMPLAINTS AND INVESTIGATIONS:

We recognize the sensitive nature of harassment and violence complaints and we will keep all complaints confidential, to the extent that we are able to do so. Employees should feel secure in knowing that their concerns will be handled as discreetly and sensitively as possible. We will only release as much information as is necessary to investigate and respond to the complaint or situation or if required to do so by law.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards.

PROTECTION FROM REPRISALS/RETALIATION:

DynaCare will not tolerate reprisal, retaliations, taunts or threats against anyone who complains or provides information about harassment, violence and or discrimination in the workplace or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone for following this, or any company policy in good faith, may be subject to discipline, up to and including dismissal for cause.

Employees are encouraged to assist the company in its efforts to prevent and eliminate harassment, sexual harassment, discrimination, and violence in the workplace by treating their co-workers with courtesy and respect at all times during their employment. The company, in turn, will do its best to deal with complaints that may arise in a fair and objective manner. Any breach of this policy will result in disciplinary action up to and including termination of employment.