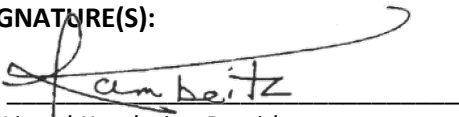


HARASSMENT PREVENTION POLICY

ABOVE FOOD™

(the “Company”)

POLICY AREA: Workers	EFFECTIVE DATE: July 1, 2024
POLICY NAME/TITLE: Harassment Prevention Policy (“Policy”)	APPROVED BY: Board of Directors APPROVED DATE: July 1, 2024
	REVIEW DATE: As necessary but at least once every 3 years or following any change of an element of this Policy.
Name / SIGNATURE(S): Signature:  Print: Lionel Kambeitz, President	DATE REVISION WAS APPROVED: None.

1. PURPOSE

Every employee is entitled to employment free of harassment. The Company is committed to a harassment-free workplace where everyone is treated with dignity and respect.

Harassment will not be tolerated from anyone. The Company is committed to eliminating or, if that is not reasonably practicable, controlling the hazard of harassment. Everyone must uphold this Policy and work together to prevent workplace harassment.

2. DEFINITION OF HARASSMENT

This Policy covers the following:

- (a) **Harassment Based on Prohibited Grounds** - This includes any inappropriate conduct, comment, display, action or gesture by a person that:
 - is based on any prohibited ground as defined in *The Saskatchewan Human Rights Code, 2018*, the *Alberta Human Rights Act* or on physical size or weight; or
 - constitutes a threat to the health or safety of the worker.

- (b) **Personal Harassment** - This includes any inappropriate conduct, comment, display, action or gesture by a person that:
 - adversely affects a worker’s psychological or physical well-being; and

- the perpetrator knows or ought to reasonably know would cause the worker to be humiliated or intimidated.

Personal harassment must involve repeated conduct or a single, serious incident that causes a lasting harmful effect on the worker. All incidents of inappropriate conduct should be appropriately addressed to ensure that the workplace remains respectful and free of harassment.

Personal harassment may include:

- verbal or written abuse or threats;
- insulting, derogatory or degrading comments, jokes or gestures;
- personal ridicule or malicious gossip;
- unjustifiable interference with another's work or work sabotage;
- refusing to work or co-operate with others; or
- interference with or vandalizing personal property.

- (c) **Sexual Harassment** - Sexual harassment is conduct, comment, display, action or gesture of a sexual nature that is unwelcome.

3. WHAT IS NOT HARASSMENT

This Policy does not extend or apply to day-to-day management or supervisory decisions involving work assignments, job assessment and evaluation, workplace inspections, implementation of appropriate dress codes and disciplinary action. These actions are not harassment, even if they sometimes involve unpleasant consequences. Managerial actions must be carried out in a manner that is reasonable and not abusive.

This Policy also does not extend to harassment that arises out of circumstances unrelated to the worker's employment. For example, harassment is not covered if it occurs during a social gathering of co-workers that is not sponsored by the employer. However, harassment that occurs while attending a conference or training session at the request of the employer is covered.

Other situations that do not constitute harassment include:

- physical contact necessary for the performance of the work using accepted industry standards;
- conduct which all parties agree is inoffensive or welcome; or
- conflict or disagreements in the workplace, where the conflict or disagreement is not based on one of the prohibited grounds.

Harassment can exist even where there is no intention to harass or offend another. Every person must take care to ensure his or her conduct is not offensive to another.

4. THE COMPANY'S COMMITMENT

In support of this Policy, the Company has put in place workplace harassment prevention procedures. These include measures and procedures to protect workers from the hazard of harassment and a process for workers to report incidents or raise concerns.

The Company and its managers and supervisors will take all complaints of harassment seriously. The Company is committed to implementing this Policy and to ensuring it is effective in preventing and stopping harassment, as well as creating a productive and respectful workplace.

This commitment includes:

(a) Informing all persons in the workplace of their rights and obligations

- A copy of the Policy will be provided to all workers and posted on the Company's Public Shared Drive.

(b) Training all persons in implementing the Policy

- The Company will ensure that all workers are aware of the Policy and receive proper training.
- Supervisors will review the Policy with new workers as part of their orientation.
- People designated to receive, investigate or resolve complaints will be trained in their roles and responsibilities.
- All Company managers, directors, officers and supervisors will be asked to set a good example and help foster a respectful workplace.
- A list of people designated to receive complaints shall be posted with the policy statement.

(c) Assigning responsibility for implementing this policy

- The Company will designate an appropriate number of persons who may receive harassment complaints and assist in facilitating their resolution and who will investigate harassment complaints.
- The Company will designate all supervisors authorized to take corrective action in accordance with this Policy.

(d) Protecting workers trying to prevent or stop harassment

- Harassment complaints and investigations will be held in the strictest of confidence except where disclosure is necessary to investigate the complaint, take corrective action or required by law.
- Action will be taken to prevent reprisal against people who make a harassment complaint in good faith, which may mean informing complainants and alleged harassers of this commitment.

(e) Promptly taking action necessary to stop and prevent harassment

- Appropriate action, sufficient to ensure the harassment stops and does not happen again, will be taken against people who are or were engaged in or participated in harassment.
- When necessary, customers, contractors or other visitors will be informed, certain conduct will not be tolerated.

(f) Ensuring the policy remains current

Administering the Policy and ensuring it is reviewed and updated is part of management's regular duties. The review and updates will be done in collaboration with the Human Resources Department and the Company's workers. This Policy will be reviewed and, when necessary, updated at least once every 3 years or following any change to an element of the Policy. Management will ensure that workers are informed of revisions to this Policy and retrained on the revised elements of the Policy.

5. THE EMPLOYEE'S DUTY

In accordance with Part III of *The Saskatchewan Employment Act* and the *Occupational Health and Safety Act* (Alberta), all workers, including managers and supervisors employed by the Company shall refrain from causing or participating in the harassment of another worker, and co-operate with any person investigating harassment complaints. Every worker must work in compliance with this Policy and the supporting procedures. All workers are required to raise any concerns about harassment and to report any incidents to the appropriate person.

6. COMPLAINT PROCEDURE

This policy sets out three types of complaint procedures that may be used following instances of harassment.

(a) No Alleged Harasser Named and Informal Resolution Sought

Step 1: An individual reports an incident or concern.

Step 2: The person receiving the complaint reviews the procedures with the complainant and informs the area supervisor.

Step 3: The area supervisor takes action to address the complaint. Such action may include having staff meetings to discuss and review the Policy; or providing workshops or resource materials on the prevention of harassment. The area supervisor informs the complainant of the action that will be taken to address the concern.

Confidentiality: The Company, or anyone acting on behalf of the Company, should not disclose the complainant's name or other identifying information to any person. However, in certain circumstances, the complainant may agree to release identifying information to implement the Policy, the resolution process, or the resolution itself.

(b) Alleged Harasser Named - Informal Resolution or Mediation Sought

Step 1: An individual reports an incident or concern. The complaint should be in writing in a form consistent with the harassment complaint form attached to this Policy. Where an informal resolution is sought, the complainant should indicate the type of resolution sought (example - apology, supervisory counselling, a facilitated meeting with the alleged harasser, workshops or training sessions and mediation, etc.).

Step 2: The person receiving the complaint reviews the procedures with the complainant and informs the area supervisor. Where it is alleged the area supervisor is involved in the harassment, the person receiving the complaint refers the matter to another supervisor. The person receiving the complaint will also meet privately with the alleged harasser to review the complaint and determine whether there is agreement on a resolution or resolution process.

Step 3: Where there is agreement on the resolution or resolution process, the person receiving the complaint informs the area supervisor of the agreement and facilitates the agreed upon resolution or process.

Step 4: The complainant is informed a formal complaint procedure is possible if the complainant, the alleged harasser, or the area supervisor do not agree or if the process does not resolve the matter to the complainant's satisfaction.

Step 5: Where the complainant and alleged harasser agree to a resolution, the area supervisor follows up with the complainant to ensure the resolution was effective in stopping and preventing further harassment. Where the complainant indicates the harassment has not ended, the area supervisor counsels the complainant to pursue an alternate resolution process, including a formal investigation.

Confidentiality: The Company, or anyone acting on behalf of the Company, should not disclose the complainant's or alleged harasser's name or other identifying information. In certain circumstances, the complainant and alleged harasser may agree to release identifying information to implement the harassment policy, the resolution process, or the resolution itself.

(c) Alleged Harasser Named - Investigation Required

Step 1: An individual reports an incident or concern. The complaint should be in writing and contain:

- the name, job title and contact information of the complainant;
- the name of the alleged harasser;
- description of the conduct considered objectionable, including dates and locations of events;
- the names and contact information of any possible witnesses;
- description of the basis of the alleged harassment, such as the prohibited grounds;
- the remedy sought;
- any other information or material the complainant considered relevant; and
- the signature of the complainant and the date.

Step 2: The person receiving the complaint reviews the procedures with the complainant and provides a written copy to the area supervisor. Where it is alleged that the area supervisor is involved in the harassment, the complaint is referred to another supervisor. The person receiving the complaint also provides a copy of the written complaint to the alleged harasser and reviews the procedures with the alleged harasser.

Step 3: The person receiving the complaint, the area supervisor and other relevant parties such as the human resource department, review the complaint and determine whether conduct falls within the Policy. The group will decide whether there are appropriate resolution options, other than an investigation, acceptable to the complainant and the alleged harasser. This group will conduct the investigation if one is required.

Step 4: When an investigation is required, the area supervisor appoints an investigator or investigation team. Investigators will be trained in conducting an investigation in accordance with this Policy and will have no apparent bias or interest in the outcome. Where the complainant and the alleged harasser objects to the appointment of an investigator, on the basis of bias or conflict of interest, the area supervisor will appoint another investigator.

Step 5: Investigators must act in accordance with the following guidelines:

- The investigation commences and concludes as soon as reasonably possible.
- Witnesses are interviewed separately and written witness statements are prepared.
- Witnesses are asked to review and sign their written statements.
- Witnesses are advised to keep the investigation and the identity of the complainant and alleged harasser in confidence, unless required by law to disclose them.
- The complainant and alleged harasser are entitled to legal counsel.
- During the investigation, both the complainant and the alleged harasser are entitled to be informed of all the allegations and allowed to respond. This does not mean either party is entitled to see or receive copies of the complete statements. However, both are entitled to see or receive an adequate summary of the evidence to make a full response.

Step 6: Once the investigation is complete, investigators will prepare a written report setting out a summary of the evidence, a description of any conflict in the evidence, conclusions and reasons for reaching those conclusions, as well as the recommended corrective action if harassment has occurred. The report will be delivered to the area supervisor, the complainant and the alleged harasser. The report is marked confidential and delivered with the notation that it should be kept in confidence unless disclosure is required by law or is necessary to implement corrective action.

Step 7: The area supervisor will then:

- Take appropriate corrective action.
- Inform the complainant and harasser of the corrective action.
- Inform the complainant of the rights to file a complaint with the Saskatchewan Occupational Health and Safety Branch at the Ministry of Labour Relations and Workplace Safety under *The Saskatchewan Employment Act* and regulations, the Saskatchewan Human Rights Commission under *The Saskatchewan Human Rights Code, 2018*, the Alberta Human Rights Commission under the *Alberta Human Rights Act* or any other applicable law.

Where the corrective action is different from the action recommended in the report, the area supervisor should provide reasons for not taking the investigators' recommended action.

Step 8: After corrective action has been taken, the area supervisor follows up with the complainant to ensure that the corrective action was effective. If the complainant indicates harassment has not ended, or suffers reprisal, the area supervisor should take additional or alternative corrective action. Further investigation may be necessary.

Confidentiality: The Company, or anyone acting on behalf of the Company, should not disclose the name of the complainant or the alleged harasser, nor any information that may identify them. The disclosure of such information may be necessary to conduct the investigation, implement corrective action or pursue other legal remedies.

All documents and statements obtained during the course of the investigation, including the names and copies of witness statements, should not be disclosed to any person unless required by law.

7. TAKING ACTION TO STOP AND PREVENT HARASSMENT

In taking action to stop harassment and prevent its reoccurrence, the Company will be guided by the following:

Individual Awareness and Counselling

People may not be aware of the effects of their behavior. In many cases, speaking to the person in private about the inappropriate behavior will help resolve a situation. In certain instances, it may be more effective for a supervisor to speak with the offending person or to arrange and facilitate a meeting between the complainant and alleged harasser. Complainants should not be encouraged to confront the alleged harasser if they are reluctant, if the alleged harassment is of a serious nature or if the alleged harasser denies the alleged conduct.

Staff Awareness and Counselling

Standards of behavior change over the years. Some individuals or groups may not be aware of behavior that was acceptable in the past is not acceptable anymore. A staff awareness session may be helpful to correct problems based on lack of awareness. Relevant materials and discussions may increase awareness of behaviors that are unacceptable and the reasons for the changes.

Interim Action

An area supervisor may have grounds to believe a complainant will be exposed to continued harassment or reprisal while waiting for the investigation or resolution process to occur. The area supervisor must take immediate action to protect the worker from continued harassment or reprisal. Any interim action should respect the alleged harasser's rights based on the employment contract. Considering the above-mentioned rights, the area supervisor's action may include – cautioning the alleged harasser about the types of behavior that will not be tolerated; moving the alleged harasser to another work unit; moving the complainant to another work unit at the complainant's request; and suspending the alleged harasser with pay while waiting for a final determination.

Mediation

Mediation offers both parties the opportunity to develop an understanding of the problem and resolve the complaint before or during the formal investigation process. The mediator facilitates separate discussions or joint meetings between the complainant and the alleged harasser. Mediation may take place at any point in the resolution process as long as both parties agree to participate. Where the complainant and alleged harasser agree to participate in mediation, the Company shall arrange for a mediator, who is trained and independent.

Disciplinary Action

An employee who has knowingly engaged or participated in the harassment of a co-worker will be disciplined. The discipline will be subject to the employee's rights under the employment contract. Discipline may include reprimand, relocation, demotion, suspension or termination of employment. The severity of discipline will depend on:

(a) Seriousness of the Alleged Conduct:

- whether the conduct is an offence under the criminal code;
- whether the conduct is an offence under *The Saskatchewan Human Rights Code*, the *Alberta Human Rights Act* or any other applicable laws;
- the extent of the mental or physical injury caused to the complainant;
- whether the harasser persisted in behavior that was known to be offensive to the complainant; or

- whether the harasser abused a position of authority.
- (b) Risk of the Harasser Continuing with Similar Harassment of the Complainant or Others
- whether the harasser acknowledges that conduct was unacceptable and makes a commitment to refrain from future harassment;
 - whether the harasser has apologized to the complainant or taken action to repair harm; or
 - whether the harasser has agreed to participate in awareness sessions, training or other recommended counselling or treatment.

No workers can be penalized, reprimanded or in any way criticized when acting in good faith while following this Policy and the supporting procedures for addressing situations involving harassment.

8. THIRD-PARTY HARASSERS

This Policy covers harassment connected to any matter or circumstance arising out of the worker's employment. Customers, clients, patients, contractors or their workers and others invited to the workplace could harass an employee. The Company may have limited ability to investigate or control their conduct. However, the Company shall take reasonably practicable action to stop or reduce the risk to its workers of being harassed by third parties. This action may include:

- posting the Policy in a location visible to third parties; and
- requiring certain contractors and their workers to accept the terms of the Policy; and
- removing workers who participate in harassment.

Where a client or customer has been asked to stop abusing or harassing a worker and does not, workers are authorized to:

- end telephone conversations;
- politely decline service; and
- ask the customer or client to leave the workplace.

9. MALICIOUS COMPLAINTS

Where an investigation finds a complainant has knowingly made a false allegation, the complainant will be subject to appropriate discipline.

10. OTHER OPTIONS FOR COMPLAINANTS

Nothing in this Policy prevents or discourages a worker from referring a harassment complaint to the Saskatchewan Occupational Health and Safety Branch at the Ministry of Labour Relations and Workplace Safety under *The Saskatchewan Employment Act* and regulations, the Saskatchewan Human Rights Commission under *The Saskatchewan Human Rights Code, 2018*, the Alberta Human Rights Commission under the *Alberta Human Rights Act* or any other applicable law.

A worker also retains the right to exercise any other legal avenues available.

Schedule "A"
Harassment Policy Statement

(see attached)

Schedule "B"
Harassment Complaint Form

(see attached)