



# Workplace Violence, Harassment, and Bullying Policy



Ethical Seafood Research (or “ESR”) is committed to a work environment in which all individuals are treated with respect and dignity, and it is our intent to provide a work environment that is free from harassment, bullying, and violence.

In furtherance of this commitment, ESR will not tolerate harassment based on the characteristics protected by applicable law. Such conduct is strictly prohibited in any form in the workplace. As such, ESR expressly prohibits managers, supervisors and employees from discriminating against or harassing co-workers, applicants, clients, customers, guests, vendors, suppliers, independent contractors, and others doing business with ESR. In addition, ESR prohibits clients, customers, guests, vendors, suppliers, independent contractors and others doing business with ESR from discriminating against or harassing ESR's employees.

This policy is not intended to discourage a worker from exercising their rights pursuant to any other law, including the applicable provincial human rights legislation.

This policy is a national policy and, as such, definitions or rules stated in this policy may vary from the requirements in your province of employment. To the extent that local law includes any requirements not outlined in this policy, ESR will comply with local law.

## 1. Policy

Workplace harassment and violence will not be tolerated from any person in the workplace.

ESR will assess, control, and mitigate the risk of violence and harassment in the workplace as much as is reasonably practicable. The workplace violence and harassment risk/hazard assessment, and any changes to this policy or program will be done in conjunction with the workplace joint health and safety committee or health and safety representative as the case may be.

ESR is committed to:

- A. Eliminating and controlling the hazards of workplace violence and harassment;
- B. Investigating reported incidents of workplace violence and harassment in an objective and timely manner and taking the necessary corrective action to address these incidents;
- C. Ensuring that there is no disclosure of the circumstances related to an incident of workplace violence and harassment, the names of the complainant(s), the person alleged to have committed the harassment or violence, and any witness, except:

- i. Where necessary to investigate the incident, to take corrective action or to inform involved parties of the investigation results and any corrective actions taken or to be taken;
  - ii. Where necessary to inform workers of a specific or general and imminent threat of violence; or
  - iii. As required by law.
- D. Ensuring the protection of confidentiality and personal information throughout the complaint, investigation, and resolution process, and disclosing only the minimum amount of personal information that is necessary to inform affected parties of the results of the investigation, or to inform workers of a specific or general threat of violence;
- E. Communicating to workers this policy, these procedures, and the workplace arrangements that ESR has developed and implemented to eliminate or control the hazards of violence and harassment.

ESR will review this policy at least once every three years, in consultation with the appropriate health and safety committee(s) or health and safety representative, as applicable, to ensure that the policy continues to protect workers and other persons present in the workplace.

## 2. Purpose

The purpose of this policy is to ensure that:

- A. Individuals are aware of and understand that acts of workplace harassment and violence are serious and unacceptable offences for which necessary action will be imposed;
- B. Those subjected to acts of workplace harassment and violence are encouraged to access any assistance they require in order to pursue a complaint; and
- C. Individuals are advised of available recourse if they are subjected to, or become aware of, situations involving workplace harassment or violence.

## 3. Definitions

The following terms are defined under this policy, in accordance with applicable provincial laws.

(a) “Workplace Harassment” means:

- o any single incident or repeated incidents of objectionable or unwelcome conduct, comment(s), bullying, action(s), or gesture(s) by a person that the person knows or ought reasonably to know will or would cause offence, humiliation, or discomfort to a worker, or adversely affects the worker’s health and safety;
- o Workplace Harassment includes sexual harassment (defined below);
- o Harassing conduct includes, but is not limited to: conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation; and a sexual solicitation or advance.

Reasonable action taken by ESR or a supervisor relating to the management and direction of employees or the workplace is not Workplace Harassment unless such actions are carried out in an abusive or threatening manner. This is the case even if there are sometimes unpleasant consequences for an employee.

(b) “Workplace Sexual Harassment” means:

- o A single or repeated incidents of vexatious, objectionable or unwelcome comment or conduct, or gestures against a worker, whether at a work site or work-related, 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
- o 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.

(c) “Workplace Violence” includes:

- whether at a work site or work related, the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, including, but not limited to:

- physical attack or aggression
- threatening behaviour
- verbal or written threats
- domestic violence
- sexual violence

(d) “Domestic Violence” means:

- o a single incident or a pattern of behaviour where one person attempts through violence or threat of violence to gain power and control over another with whom they have or had a personal relationship. Domestic violence becomes a workplace hazard when it occurs in the workplace, or there is reason to believe it could occur at the workplace.

#### 4. **Individuals and Conduct Covered**

This policy applies to all persons who perform services for ESR, including all applicants and employees, and prohibits workplace harassment, workplace violence and retaliation whether engaged in by fellow employees, by a supervisor, by a manager, or by someone not directly connected to ESR (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace (including any place where employees engage in Company business, activities or social events).

Managers, supervisors and employees are expected to adhere to this policy, and will be held responsible by ESR for not following it.

Employees found in violation of this policy will be disciplined including up to and including termination of employment.

#### 5. **Assessing Risks/Hazards**

ESR is committed to identifying and responding to risks and hazards of workplace violence and harassment. In accordance with its commitment, ESR will:

- Assess the risk of workplace violence, harassment or bullying that may arise from the nature of the workplace, the type of work, or the conditions of work:
  - *Nature of the Workplace*: the physical aspects of the workplace, such as lighting, lines of sight, depth of counters, entrances, exits, and objects that could be used to hurt workers;

- *Type of Work*: the activities performed by workers, the sector of the work, and the people with whom the workers interact (such as customers or clients);
- *Conditions of Work*: other aspects such as hours of work (e.g. working late), the surrounding neighborhood, and whether workers move from location to location, work alone, or in isolation.
- Take into account the circumstances of the workplace and circumstances common to similar workplaces, such as:
  - Layout and design of the workplace;
  - Geographical location of the workplace;
  - Work carried out and conditions of work, including activities or circumstances associated with a higher risk of violence;
  - Protective measures and procedures, including security measures, that may already be in place; and
  - Past violent incidents in the workplace.
- Develop measures and procedures to control identified risks that are likely to expose a worker to injury.

This risk assessment will be done in accordance with applicable provincial law and in conjunction with the workplace joint health and safety committee or health and safety representative as the case may be. Risks will be reassessed on a regular basis, or as often as is necessary to ensure that the policy and program continue to protect workers from the risk of workplace violence and harassment. This will include when changes are made to the workplace or the conditions of work; when new information on the risks of workplace violence or harassment is presented; and if an incident occurs that necessitates a reassessment.

## 6. **Manager or Supervisor Responsibility**

If a manager or supervisor witnesses an incident of workplace harassment, workplace violence, or retaliation, or is approached by an employee or worker reporting an incident of workplace harassment, workplace violence, or retaliation, the manager or supervisor must contact Human Resources immediately.

## 7. Employee / Worker Responsibility

If you are subject to, or become aware of, any inappropriate behavior or conduct (such as workplace harassment, workplace violence, or retaliation) by an employee, contractor or other member of the workplace, whether on or off the worksite, you should promptly take the following steps:

- If you feel comfortable, or as soon as it is safe to do so, go to your immediate manager or supervisor. Alternatively, you may also report the behaviour to Human Resources. For additional information about the reporting resources available to you, please see the Complaint Procedure at Section 8 of this Policy. You are encouraged to make your report in writing, stating specific details of the behaviour.
- If additional incidents occur, immediately report them through one of the resources provided in the Complaint Procedure or Employee Resources sections of this Policy.

## 8. Complaint Procedure

We understand the importance of open communication and the valuable contributions employees add to ESR's success. There are many ways to provide feedback, get answers, or have problems addressed. We encourage you to follow the guidelines below to assure rapid and equitable resolution of all concerns and to ensure that neither reticence nor fear of reprisal inhibits any employee from raising their concerns. Complaints or information relating to workplace harassment, workplace violence, or retaliation may be made orally or in writing. When submitting a written complaint under this policy, the complaint should contain the following information (to the extent known by the worker making the complaint):

- Name(s) of complainant(s) and contact information;
- Name of person alleged to have committed the harassment or bullying, his or her position, and contact information;
- Names of any witnesses or other persons with relevant information regarding the incident and their contact information;
- Details of what happened including the date, frequency, and location; and
- Supporting documentation, if any, that the complainant has and a list of documentation the alleged harasser or witnesses may have.

## 9. Employee Resources

For emergencies, imminent or ongoing acts of violence, or criminal threats of violence, call 911 and/or building security (if applicable) immediately, before making an internal report.

To make a report and summon assistance in other circumstances, including when the available information suggests an escalation of behaviour is likely to occur within a short period of time or when an act of workplace violence has been committed, threatened, or is reasonably likely to occur, a worker should call 911, the local emergency agency number or building security (if applicable).

Where it is necessary for a worker to seek the assistance of a health professional, workers will be encouraged to see a health professional of their choice.

Your Manager or Supervisor

Your manager or supervisor is one resource available to you to help with your questions or problems. They will answer your questions or guide you to other sources. In the event you and your manager or supervisor do not agree on a matter, or if a particular issue makes it more appropriate, you can use another line of communication to get more information, such as your manager's or supervisor's supervisor or your Human Resources Business Partner. Please remember: you and your work are important to your manager or supervisor. They will try very hard to work out any problems and find answers for you.

## 10. Investigation

ESR values employee feedback and encourages the reporting of any potential or alleged misconduct. Any reported incidents of workplace harassment, workplace violence, or retaliation will be investigated in a timely, fair, and thorough manner as well as in accordance with applicable law.

Human Resources will determine who will conduct the investigation into the incident or complaint under this policy. Where the complaint concerns: i) sexual harassment by a senior employee within ESR (e.g. a Director or Country Manager) ii) sexual harassment by any other parties who may be directing or have oversight over sexual harassment investigations (iii) any claims made against ESR's leadership team or a conflict of interest is identified, namely an interest that has the potential to compromise or bias their judgment or objectivity, a party external to ESR, qualified to conduct an impartial investigation, will be retained to conduct the investigation.



The steps taken by the investigator will vary depending upon the nature of the allegations. During the investigation, interim preventative measures may also be taken by ESR.

If it is determined that an employee has violated this policy, ESR will take appropriate disciplinary action up to and including discharge.

Within a reasonable period following the completion of the investigation, the worker who made the complaint and the person against whom the complaint was made (if he or she is an employee of ESR) will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by ESR.

The workplace joint health and safety committee or health and safety representative, as the case may be, may be informed of the results of the investigation, and may be consulted on the development of appropriate corrective and preventative actions or any changes to this policy or program.

## 11. **Confidentiality**

Information obtained about an incident or complaint of workplace harassment, workplace violence, or retaliation including identifying information about any individuals involved, will be kept confidential to the extent possible and will not be disclosed unless disclosure is necessary to protect employees from a specific or general threat of violence or potential violence, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

All individuals involved in a complaint or investigation will be advised to keep all information related to the complaint, incident, and investigation strictly confidential and not to discuss the incident or investigation with each other, witnesses or other parties (unless necessary to obtain advice about their rights).

ESR does not ask or require people making claims of sexual harassment to enter into non-disclosure agreements (where parties do not share any information about the alleged incident).

## 12. **Anti-Retaliation Policy**

ESR strictly prohibits retaliation of any kind against an employee who:

- Reports a suspected incident of workplace harassment, workplace violence, or retaliation;

- Participates in an investigation, proceeding, or lawsuit of a claim of workplace harassment, workplace violence, or retaliation;
- Opposes ESR's employment practices that he or she believes are in violation of this policy or any applicable laws; or
- Engages in any other type of legally protected activity.

Acts of retaliation should be reported immediately. For a list of reporting resources available to employees, please refer to the Complaint Procedure section of this Policy.

An employee who violates this policy or retaliates against a worker in any way will be subject to disciplinary action up to and including termination of employment.

### 13. **Information and Instruction**

ESR will provide information and instruction that is appropriate to the worker concerning the contents of this policy and the program with respect to workplace violence and harassment. This information and instruction may be delivered in many different ways, including in-person training, one-to-one or group instruction by a manager or supervisor, e-learning, and reviewing and acknowledging Company policies.

Workers, Supervisors, and Managers will be trained on:

- Their respective rights and responsibilities under this policy and the applicable provincial legislation in their province of employment;
- Recognizing the potential for workplace violence, harassment and bullying;
- Responding to workplace violence and harassment;
- The procedures for reporting incidents of workplace violence and harassment; and
- The investigative and resolution procedures that ESR will undertake to address reports of workplace violence and harassment.

### 14. **Other Remedies**

This policy does not prevent or discourage a worker from filing an application with the applicable human rights tribunal or commission or labour relations board, or exercising any right pursuant to any other law, including applicable provincial human rights legislation,

employment standards legislation, occupational health and safety legislation, or workers' compensation legislation.

#### **15. Policy Review and Record Retention**

This policy will be reviewed at least annually, in consultation with the workplace joint health and safety committee or health and safety representative as the case may be. This policy may be reviewed early if changes are made to the workplace or the nature or conditions of work (such as work hours) that may have an impact on the risk of workplace violence and harassment. This policy will also be reviewed if the corrective and preventative actions that result from an investigation under this policy demonstrate a need for review.