



**PETRONAS**

# **WORKPLACE HARASSMENT, BULLYING & VIOLENCE PREVENTION POLICY**

Final

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## DOCUMENT AUTHORIZATION

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## 1. Summary Statement

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The Company is committed to providing a safe, healthy and respectful workplace free from violence (actual, attempted or threatened), harassment and bullying. Harassment, bullying or violence in any manner or form is expressly prohibited by the Company. If it is not possible to eliminate the hazards of harassment, bullying and violence, the Company is committed to controlling those hazards. The Company will take such disciplinary measures, up to and including termination of employment for cause, as it deems appropriate against any person under its direction who subjects anyone to harassment, bullying or violence.

This Policy outlines considerations pertaining to workplace harassment, bullying or violence and the process for investigating allegations of such misconduct. This Policy covers a number of different violations and circumstances that may be reported by any Employee, director, Consultant or Contractor of the Company, or any third party.

## 2. Objectives

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The objectives of this Policy are to:

- Foster a respectful work environment free from workplace harassment, bullying and violence;
- Provide definitions of workplace harassment, bullying and workplace violence;
- Establish the responsibilities of all persons on Company Premises to maintain a workplace free of harassment, bullying and actual, attempted or threatened violence;
- Ensure that incidents of workplace harassment, bullying and violence are reported to a Supervisor, HR, Legal, Management and/or law enforcement as appropriate; and
- Ensure that complaints of workplace harassment, bullying and violence are handled in a timely and fair manner by the Company through appropriate follow-up and investigation.

This Policy also ensures Company investigations are conducted as a diligent and objective fact-finding process that results in timely and appropriate resolution of complaints with recommendations for how to prevent similar issues in the future.

## 3. Scope

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This Policy applies to all Employees, Contractors and Consultants and any other person at a Company workplace including, but not limited to, visitors, vendors, suppliers and delivery persons.

Prohibited acts that occur outside the workplace, the results of which impact the workplace, are also subject to this Policy.

## 4. Definitions

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Capitalized terms used herein have the meanings described below or, if not so defined, in the Company's Master Glossary.

### **WORKPLACE DEFINED**

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For the purposes of this Policy, a workplace includes all places where Company Business takes place and includes all:

- Company buildings (whether owned or leased) and surrounding perimeter including parking lots, sidewalks, and driveways;
- Company Premises and Worksites;
- Off-site locations where Company Business occurs;
- Company-sponsored functions and recreational or social events; and
- Travel for Company Business.

### **WORKPLACE HARASSMENT AND BULLYING DEFINED**

The determination of whether conduct constitutes workplace harassment or bullying should be an objective assessment but should also take a complainant's perception into account. Bullying and harassment does not include any reasonable action taken for the management or direction of workers or the workplace (ex: performance management).

In this Policy, workplace harassment includes but is not limited to the following:

- Engaging in any single incident or repeated incidents of objectionable, unwelcome, inappropriate, vexatious, demeaning and/or embarrassing comment or conduct against a person that objectively causes or ought reasonably to be known would cause offence, humiliation, or adverse effects to a person's health or safety;
- Personal harassment; and
- Bullying, discriminatory harassment and sexual harassment:
  - a) Bullying includes comments or conduct that are or should reasonably be expected to be intimidating, threatening or abusive. Bullying may be accompanied by direct or implied threats to the individual's status or job. Bullying may also include statements made to third persons (ex: spreading malicious rumors or False Information); and
  - b) Discriminatory harassment is harassing conduct or communication directed at an individual that creates an intimidating, offensive or embarrassing work environment. Such harassment are focused on prohibited grounds such as gender, gender identity, gender expression, sex, marital status, sexual orientation, race, colour, religious beliefs, origin, ancestry, age, source of income, family status, disability, political belief or conviction on a criminal or summary conviction offence that is unrelated to the employment or intended employment. Acts of discriminatory harassment includes but are not limited to:
    - Verbal abuse and/or slurs based on these prohibited grounds;
    - Derogatory or offensive references or jokes, either explicit or implicit, based on stereotypes associated with these prohibited grounds;
    - Statements or innuendos, either explicit or implicit, to claims of inferiority based on these prohibited grounds; and
    - Display in the workplace of demeaning signs, posters, objects or pictures based on these prohibited grounds.

- c) Sexual harassment is conduct of a sexual nature in the workplace that causes or should reasonably be expected to cause offence or humiliation to any person or that might on be reasonably be perceived as placing a condition of a sexual nature on employment or an opportunity for training or promotion. Sexual harassment can take various forms, including but not limited to:
- Sexual flirtations, touching (including standing too close), advances or propositions;
  - Use of sexual language or suggestive comments about an individual's dress or body;
  - Repeated acts that alone may not be harassment but, when considered together, are;
  - The display in the workplace of sexually suggestive objects or pictures, including nude or partially nude photographs, and photographs involving provocative poses;
  - Pressure to establish unwanted relationships or requests for sexual favors;
  - Direct or indirect propositions of a sexual nature;
  - Leering and/or whistling in a suggestive way;
  - Remarks or questions about sexual activity, or speculations about previous sexual experiences; and
  - Sexual assault.

### **WORKPLACE VIOLENCE DEFINED**

There is a risk of violence, however remote, whenever individuals are together at the same workplace. The Company recognizes that workplace violence is a health and safety and HR issue.

In this Policy, workplace violence includes, but is not limited to:

- Actual or attempted conduct against or by an individual that causes or should reasonably be expected to cause physical or psychological injury or harm, including but not limited to, sexual violence and other physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
- An action or statement (or series of actions or statements) reasonably believed to be a threat of physical or psychological harm or a threat to safety or security in the workplace; and
- Bringing or threatening to bring a weapon of any kind to the workplace or possessing a weapon of any kind while carrying out Company Business.

## **5. Requirements**

**Everyone in the workplace must work together to effectively implement this Policy and prevent workplace harassment, bullying and violence.**

### **5.1 Zero Tolerance**

The Company values the health and safety of everyone at its workplaces, which includes providing a workplace free from harassment, bullying and violence. Incidents of workplace harassment, bullying or violence perpetrated against or by any Employee, customer, vendor, Contractor, Consultant, visitor or any other person will not be tolerated.

With respect to acts of workplace harassment, bullying or violence the Company may take all steps necessary to stop the behavior and restore order and respect, including but not limited to:

- Remove the perpetrator from the workplace, with or without assistance from the police;
- Discipline any Employee, up to and including dismissal for cause, and/or report the conduct to the police; and
- Report the conduct of any other person to their employer, supervisor and/or principal and/or to the police.

## 5.2 Responsibilities and Obligations

Anyone seeking information or clarification regarding this Policy or wishing to have an informal discussion regarding a possible complaint are encouraged to approach their Supervisor, HR or the Legal department. Such inquiries will be held in confidence to the extent possible.

It is the responsibility of:

a) The Company:

- To take reasonable steps to ensure individuals are not subjected to or participate in workplace harassment, bullying or violence;
- To train Employees about how to recognize workplace harassment, bullying and violence; the procedures, policies and work environment that minimize or control such behavior; how to respond to incidents of harassment, bullying or violence, including how to obtain assistance; and procedures for reporting, investigating and documenting incidents of harassment, bullying and violence;
- To make this Policy readily available in the workplace;
- To make Contractors aware of the Company's standards and expectations about workplace harassment, bullying or violence;
- To ensure that a preliminary workplace violence Risk Assessment is conducted, with periodic assessments being done after that. Factors to be considered include previously identified sources of violence, occupational experience in similar workplaces, work processes, physical environment (including the location and circumstances in which work will take place) and the level of organizational commitment to prevention of violence;
- To develop and implement Control Measures for risks identified in the workplace violence Risk Assessment;
- To establish an effective process for reporting, investigating and responding to incidents of workplace harassment, bullying or violence;
- To ensure the process for reporting, investigating and responding to incidents of workplace harassment, bullying and violence is communicated, maintained and followed; and
- To ensure this Policy is reviewed annually or more often if warranted.

b) Human Resources (HR):

- To ensure that this Policy and the Company's standards and expectations about workplace harassment, bullying or violence expectations are communicated to all Employees;
- To ensure support and treatment is provided to Employees by providing information and referral as required, including to the Company Employee Assistance Program;

- To participate in the investigation of complaints where appropriate and determination of appropriate responses/actions;
  - To ensure confidentiality in the complaint resolution process, although complete confidentiality is not possible in all circumstances and cannot be guaranteed; and
  - To advise the complainant and respondent of the final outcome of the complaint.
- c) Managers and Supervisors:
- To understand and abide by the requirements of this Policy and do all things reasonably required for the Company to implement the same;
  - To ensure, as reasonably practical, that the workplace under their management or supervision is free from, and that workers are not subjected to or participate in, workplace harassment, bullying or violence;
  - To encourage individuals to report incidents of workplace harassment, bullying and violence;
  - To respond to complaints or incidents of workplace harassment, bullying or violence in a professional manner appropriate for the circumstances; and
  - To promptly report all complaints or incidents of workplace harassment, bullying or violence to Management or HR.
- d) Employees (Including Managers and Supervisors):
- To understand and abide by the requirements of this Policy and do all things reasonably required for the Company to implement the same;
  - To refrain from causing or participating in workplace harassment, bullying or violence;
  - To promptly report to a manager, Supervisor or HR any actual or potential workplace harassment, bullying or violence. In the case of an extreme or imminent physical harm to any person, the individual should contact the police;
  - To participate in training regarding this Policy and related matters; and
  - To fully cooperate with any investigation into an actual or potential violation of this Policy.

### 5.3 Domestic Violence

Any individual experiencing violence outside of the workplace (ex: domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to report it to the Company so that reasonable preventive steps can be taken to safeguard the Employee and others in the workplace.

### 5.4 Procedure for Reporting and Investigating Workplace Harassment

- a) **Object** (ex: Say "NO"): Actual or potential workplace harassment, bullying and violence should not be ignored and individuals should, if safe to do so, immediately and clearly tell the perpetrator that the conduct is intolerable and must stop. An individual subject to improper behavior should promptly leave any situation or location that feels unsafe.
- b) **Seek Guidance**: Actual or potential workplace harassment, bullying and violence must be promptly raised with HR and may also include a Supervisor. If an individual is unsure



whether conduct amounts to workplace harassment, bullying or violence, or is unsure about what to do next, or is concerned about a conflict of interest, HR or the Legal department should be promptly consulted.

If, after consultation with HR under section (b) above, an individual determines it is reasonably possible that an undesirable situation can be resolved without filing a formal complaint under section (ci) below, he/she can work with HR and others to take such steps as are necessary to proceed with the resolution.

- c) **Make a Complaint:** An incident of workplace harassment, bullying or violence not resolved as described above must be promptly recorded in a written report filed with HR and may also include a Supervisor. The report should provide as much information as possible to substantiate the complaint and assist with the investigation, including names of people involved and witnesses, when and where the events occurred and a description of the improper behaviour. Any supporting evidence such as documents, emails, handwritten notes, photographs, or physical evidence should accompany the report. If an individual refuses to put the complaint in writing, it must still be investigated if the information provided is sufficiently detailed and serious enough to warrant an investigation.

HR and the Legal Department will determine if the incident should be reported to the police, provided that all physical or sexual assault will be reported to the police.

If an incident of workplace harassment, bullying or violence involves a person who is not an Employee, Management or HR will report the incident to that person's employer and/or such other person as the Company determines is appropriate in the circumstances.

- d) **Investigation:** All incidents reported under (c) above will be promptly investigated by in accordance with the Whistleblower Investigation Framework (save and except where the requirements of this Policy state otherwise), and appropriate corrective actions taken. Information gathered in the course of an investigation will be handled with appropriate care and discretion. The circumstances related to an incident or the names of the complainant, the alleged perpetrator, or any witnesses should not be disclosed except:

- where necessary to investigate the incident or take corrective action, or to inform the persons involved of the results of the investigation and any corrective actions;
- where necessary to inform workers of a specific or general threat of violence or potential violence (disclosing only the minimum amount of personal information necessary); or
- as required by law.

- e) **Report and Recommendations:** At the conclusion of the investigation, the investigators will prepare a written report that summarizes the complaint, evidence, findings of fact and recommendations. Only a summary of the findings and conclusions from the report will be shared with the complainant, respondent and any other worker affected by it. The report must be maintained for two years and kept available for inspection on request by an occupational health and safety officer. The Decision Committee will consider any recommendations with the ultimate authority to take such steps (including disciplinary actions) as necessary to address the incident. The severity of any disciplinary action, which may include dismissal for cause, will be consistent with the seriousness of the conduct at issue.

If the complaint is found to be without merit, all documentation will be destroyed or sealed, subject to any need for retention for the purposes of investigating a potentially false,

fabricated or malicious (ex: bad faith) complaint or as otherwise required by law. To protect the alleged perpetrator's reputation, those individuals who were involved in the investigation will be advised that the complaint was unfounded.

- f) **Post Report:** In light of the circumstances of an incident of workplace harassment, bullying or violence the Decision Committee changes to Policy and other organizational matters to prevent a recurrence, which may include assessment of existing policies, procedures, physical premises and devices and workforce training. If determined to be necessary, appropriate corrective actions will be taken within a reasonable time frame.

An individual subject to an incident of workplace harassment, bullying or violence also has the right to pursue complaints under alternate forums, which can include exercising rights under the laws of Alberta, British Columbia or Canada. This Policy is not intended to discourage individuals from exercising those rights, including pursuant to the Alberta Human Rights Act or British Columbia Human Rights Code.

### 5.5 No Reprisal/No Retaliation

Workplace harassment, bullying and violence are serious matters and this Policy requires incidents to be reported. Accordingly, the Company does not permit retaliation or harassment of any kind against individuals who make good faith complaints or have provided information in good faith regarding an actual or potential incident of workplace harassment, bullying or violence. In this way, a complainant under this Policy should be treated in a similar manner as a Whistleblower under the Whistleblower Policy. For greater certainty, neither the Company nor any representative of the Company may discharge, demote, suspend, threaten, harass or in any manner discriminate against such individuals or encourage an individual to accept improper behavior or avoid reporting an incident. Any person that reasonably believes it has been subject to such prohibited actions should submit a report in the manner provided in section 5.4 of the Whistleblower Policy.

Any person found to have engaged in retaliatory behavior against an individual who makes a good faith complaint or provides information in good faith or a person that makes a complaint in bad faith without reasonable belief that such complaint involves an actual or potential incident of workplace harassment, bullying or violence, may be subject to discipline up to and including termination for cause of its relationship (employment or otherwise) with the Company.

No information pertaining to a complaint is to be placed on the complainant's personnel file, except if the complaint is found to be made in bad faith or lacking reasonable grounds.

### 5.6 Policy Review

At least annually, and in consultation with the Joint Worksite Health and Safety Committee, the Company will review:

- a) This Policy, including reporting and investigation procedures; and
- b) Steps taken to prevent or minimize workplace harassment, bullying and violence.

The Company will also review this Policy when incidents of workplace violence or harassment occur.

*This Policy should be consulted proactively when orienting and providing refresher training to Employees, Contractors and/or Consultants; and whenever there are concerns about harassment, bullying or violence in the workplace.*