



# WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY



## 1. MISSION STATEMENT

All employees are entitled to work in an environment free of harassment and violence. Air Canada (“Air Canada” or the “Company”) is committed to fostering a safe and healthy workplace, and shall make every reasonable effort to provide a workplace free of harassment and violence through appropriate preventative and remedial measures. The Company is committed to dedicate attention, resources, and time to address factors that contribute to workplace harassment and violence, and deal promptly and effectively with any occurrence.

To this end, the Company has developed the *Workplace Harassment and Violence Prevention Policy* (the “Policy”). A copy of this Policy is available on the ACAeronet under the Human Rights and Harassment Office title (Branches > People, Culture and Communications > Human Rights and Harassment Office) and under the Tools, Forms and Policies section of ACAeronet (Tools, Forms and Policies > Policies).

## 2. APPLICATION

The Policy applies in respect of all employees of Air Canada based in Canada. This Policy does not apply to employees of Air Canada Rouge or Air Canada Vacations. In cases where the Responding Party is an employee or Manager of Air Canada Rouge, a notice of an alleged occurrence is to be made by the Principal Party or a Witness, and the Company will review the Workplace Assessment and, if necessary, update it as required. The parties will also jointly engage in the Resolution Process with Air Canada Rouge. This joint process is further described in Appendix A.

This Policy shall apply even if the Responding Party is not employed by the Company. In those cases, a notice of an alleged occurrence is to be made by the Principal Party or a Witness, but the parties will not engage in the Resolution Process. Rather, the Company will review the Workplace Assessment and, if necessary, update it as required.

This Policy applies to alleged occurrences of harassment and/or violence arising out of, linked with, or occurring in the course of employment.

For the purposes of this Policy, workplace (“Workplace”) is any place where an employee is engaged in work for the Company. Employee activities that occur outside the Workplace, including activities involving the use of non-Company sanctioned social media outlets, may be governed as an occurrence notwithstanding the fact that they occurred outside the Workplace, if these activities constitute harassment and/or violence and have direct repercussions on the employee’s work, fellow employees or the Company.

### FORMER EMPLOYEES

Former employees can submit a notice of an alleged occurrence to the Human Rights and Harassment Office (“HRHO”). However, they must do so within three months after the day on which they cease to be employed by the Company, or as otherwise provided for by law. They may also make a complaint regarding an alleged contravention to the *Canada Labour Code* (or the “Code”) per section 19 below, until the later of three months after the day on which they cease to be employed by the Company and, if a notice of an alleged occurrence was provided, three months after the Resolution Process is completed.

## 3. GENERAL INFORMATION

Please consult Air Canada’s *Human Rights and Harassment Office Frequently Asked Questions* (the “FAQ”) for additional information. A copy of the FAQ is available on the HRHO Website or on the Policies section of the ACAeronet.

Unionized employees are encouraged to consult their respective collective agreements which may contain more information on Workplace harassment and violence, and where applicable, on a joint Investigation process.

Although certain conduct may not be explicitly covered under this Policy, it may still constitute a violation of Air Canada’s *Corporate Policy and Guidelines on Business Conduct* (the “Code of Conduct”) and any other applicable policy. A copy of the Code of Conduct may also be consulted and is available on the ACAeronet.

## 4. DEFINITIONS AND EXAMPLES: HARASSMENT, DISCRIMINATORY HARASSMENT, SEXUAL HARASSMENT, AND VIOLENCE

The Canada Labour Code defines harassment, including sexual harassment, and violence at subsection 122 (1) as:

“Any action, conduct or comment, including of a sexual nature that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.”

### HARASSMENT

For the purposes of this Policy, the use of the term “Harassment” can include “Sexual Harassment” and “Discriminatory Harassment”.

#### **Harassment can include, but is not limited to any of the following acts or attempted acts:**

- Spreading rumours or negative gossip about a person or group of people, including online (i.e. Cyber bullying).
- Making offensive jokes or remarks.
- Making aggressive, threatening or rude gestures.
- Playing unwanted practical jokes.
- Socially excluding or isolating someone.
- Stalking or inappropriately following a person.
- Tampering with someone’s work equipment or personal belongings.
- Vandalizing or hiding work equipment or personal belongings.
- Impeding a person’s work in any deliberate way.
- Persistently criticizing, undermining, belittling, demeaning and/or ridiculing a person (publicly or privately).

#### **Harassment is not**

- Consensual workplace banter and/or interactions (unless the banter includes hurtful remarks about others, especially if they pertain to any of the prohibited grounds listed above).
- Reasonable management action that is carried out fairly, such as day-to-day actions by a supervisor or Manager related to performance, absenteeism, work assignments, discipline and even dismissal – as long as it is not abusive or discriminatory.
- Workplace disagreements and conflict.

### DISCRIMINATORY HARASSMENT

Engaging in Harassment against a person because of that person’s race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, genetic characteristics, marital status, family status, disability, or a pardoned or suspended conviction.

### SEXUAL HARASSMENT

Sexual Harassment can include, but is not limited to, any of the following acts or attempted acts:

- Sexual jokes, including circulating written sexual jokes (i.e. by email), innuendo/insinuation.
- Unwanted and/or inappropriate invitations or requests of a sexual nature.
- Spreading sexual rumours (including online).
- Demanding dates, sexual favours and/or physical intimacy.
- Questions or discussions about sexual activities.
- Unwelcome comments about one’s physical appearance.
- Circulating or displaying pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including online).
- Demanding hugs.
- Leering or inappropriate staring.
- Unwelcome and unnecessary physical contact, including unwanted touching.

### VIOLENCE

Violence can include but is not limited to the following acts or attempted acts:

- Threats or intimidation, whether verbal or non-verbal.
- Verbal abuse, including swearing or shouting offensively at a person.



- Attacking, kicking, punching, scratching, biting, squeezing, pinching, battering, hitting or wounding a person in any way.
- Attack or threatening to attack with any type of weapon.
- Spitting at someone.
- Threatening phone calls/emails to an employee.

## **INTERSECTION OF BEHAVIOURS**

It should be noted that these behaviours exist on a continuum and can intersect with one another (i.e. a behaviour could constitute both Sexual Harassment and Violence, or a behaviour could constitute both Discriminatory Harassment and Sexual Harassment).

## **5. OTHER DEFINITIONS**

### **APPLICABLE PARTNER**

The Applicable Partner refers to Air Canada’s Health and Safety Policy Committees or, where there are none, Air Canada’s Workplace Health and Safety Committees or Health and Safety Representatives.

### **DESIGNATED RECIPIENT**

The Designated Recipient is a person, or work unit, identified by the Company to receive and respond to occurrences of Workplace Harassment and Violence. Air Canada’s Designated Recipient is the Human Rights and Harassment Office.

### **HUMAN RIGHTS AND HARASSMENT OFFICE (“HRHO”)**

The HRHO is an independent and impartial body that reports directly to the Executive Vice President, Chief Human Resources & Communications Officer. It acts as Air Canada’s Designated Recipient and oversees the Resolution Process.

### **INVESTIGATOR**

A person who:

- a) is trained in investigative techniques;
- b) has knowledge, training and experience that is relevant to Harassment and Violence in the Workplace; and
- c) has knowledge of Part II of the *Canada Labour Code*, the *Canadian Human Rights Act* and any other legislation that is relevant to Harassment and Violence in the Workplace.

### **OCCURRENCE**

Refers to an Occurrence of Harassment and/or Violence in the Workplace.

### **MANAGER**

For the purpose of this Policy, a Manager is a person who is employed by the Company and has direct reports.

### **PRINCIPAL PARTY**

A party who is the object of an Occurrence or an alleged Occurrence (i.e. the complaining party or complainant).

### **RESPONDING PARTY**

The party who is alleged to have been responsible for the Occurrence (i.e. respondent).

### **WITNESS**

A person who witnessed, or is informed of, an Occurrence or an alleged Occurrence by the Principal Party or the Responding Party.

## 6. ROLES AND RESPONSIBILITIES

The following roles and responsibilities are in relation to Harassment and/or Violence in the Workplace:

### ROLE OF AIR CANADA

- Committing to the prevention of Harassment and Violence in the Workplace.
- Jointly reviewing and, when necessary, updating the Policy with the Health and Safety Policy Committees at least once every three years or following any change to an element of this Policy.
- Jointly developing a list of Investigators with the Health and Safety Policy Committees.
- Jointly conducting an initial Workplace Assessment with the Health and Safety Committees or Health and Safety Representative.
- Jointly monitoring and, when necessary, updating the Workplace Assessment with the Health and Safety Committees or Health and Safety Representative when there is a change to the risk factors identified or a change to the effectiveness of the preventive measures that have been developed and implemented.
  
- Conducting a review and update of the Workplace Assessment with the Health and Safety Committees or Health and Safety Representative in situations where the Principal Party chooses to end the Resolution Process, but the alleged Occurrence is unresolved, and in situations where the Responding Party is not an employee or a Manager.
- Jointly reviewing the Workplace Assessment at least every three years with the Health and Safety Committees or Health and Safety Representative and, when necessary, updating it.
- Jointly developing Emergency Procedures with the Policy Committees.
- Deploying the workplace Emergency Procedures whenever an incident in the Workplace poses an immediate danger to the health and safety of an employee, or there is a threat of such an incident.
- Jointly reviewing and, when necessary, updating the Emergency Procedures with the Policy Committees.
  
- Making available to all employees' information related to medical, psychological or other support services.
- Jointly developing or identifying Harassment and Violence prevention training with the Policy Committees.
- Delivering Harassment and Violence training to all employees, Managers and the Designated Recipient.
- Jointly reviewing and, when necessary, updating training with the Policy Committees at least once every three years and following any change to an element of the training.
- Ensuring that the Designated Recipient correctly follows the Resolution Process that is outlined in this Policy.
  
- In the case of an Investigation into an alleged Occurrence of Harassment and/or Violence, providing a copy of the Investigator's report to the Principal Party, the Responding Party, and the Health and Safety Committees.
- Jointly determining with the Health and Safety Committees which recommendations from the Investigator's report should be implemented.
- Implementing the jointly determined recommendations from the Investigator's report.
- Ensuring the Resolution Process is completed within the later of one year following the day a notification of an alleged Occurrence was provided or six months after the return to work of a party who has been temporarily absent for more than ninety consecutive days after the day the notification of an alleged Occurrence was provided.
- Reporting alleged Occurrences of Harassment and/or Violence that result in a fatality to the Minister of Labour within twenty-four hours of being notified of an alleged Occurrence.
  
- Providing the Minister of Labour an annual report that includes specified information on all alleged Occurrences of Harassment and/or Violence.
- Complying with all other aspects of the Regulations and the Code as it relates to Harassment and Violence.

### ROLE OF THE DESIGNATED RECIPIENT

- Responding to all notices of an alleged Occurrence within seven days upon receipt.
- Initiating Negotiated Resolution with the Principal Party within forty-five days following the notice of an alleged Occurrence.
- Conducting a review of every notice of an alleged Occurrence with the Principal Party against the definition of Harassment and Violence outlined subsection 122 (1) of the Code.
- Making reasonable efforts to resolve an alleged Occurrence of Harassment and Violence for which a notice of an alleged Occurrence is provided.
- Allowing the Principal Party and Responding Party the option of participating in Conciliation if they both agree to participate and agree on who is to facilitate the Conciliation.

- Providing notice of Investigation to the Principal Party and Responding Party if an Investigation is requested by the Principal Party.
- In the case of an Investigation, selecting a person to act as an Investigator from the list of Investigators developed jointly by Air Canada and the Policy Committees.
- Ensuring that the Investigator selected for an Investigation possesses the necessary knowledge, training and experience required by the Regulations.
- Ensuring that the Investigator has provided a written statement indicating that they are not in a conflict of interest with respect of the alleged Occurrence.
- Providing the Investigator with all the information that is relevant to the Investigation.
- Providing monthly status updates to the Principal and Responding Party on the status of the Resolution Process.

### **ROLE OF THE HEALTH AND SAFETY POLICY COMMITTEES**

- Jointly reviewing and, when necessary, updating this Policy at least once every three years or following any change to an element of this Policy.
- Jointly identifying appropriate Harassment and Violence training.
- Jointly reviewing and, when necessary, updating the training at least once every three years and following any change to an element of the training.
- Jointly developing a list of Investigators with the Company.
- Where appropriate, engaging with the Company to ensure compliance with the Regulations and the Code.
- Jointly reviewing and, when necessary, updating the Workplace Assessment every three years.

### **ROLE OF THE WORKPLACE HEALTH AND SAFETY COMMITTEES AND HEALTH AND SAFETY REPRESENTATIVES**

- Jointly reviewing and updating with the Workplace Assessment in situations where the Principal Party chooses to end the Resolution Process, but the alleged Occurrence is not resolved, or in situations where the Responding Party is not employed by the Company.
- Jointly determining which of the Investigator's recommendations from the Investigator's report are appropriate to implement.
- Jointly monitoring and, when necessary, updating the Workplace Assessment when there is a change to the risk factors identified or a change to the effectiveness of the preventive measures that have been developed and implemented.

### **ROLE OF EMPLOYEES**

- Refraining from perpetrating Harassment and/or Violence in the Workplace.
- Where appropriate and safe, informing a perpetrator of Harassment and/or Violence that their actions are inappropriate and unwelcome.
- Reporting all alleged Occurrences of Harassment and/or Violence to their supervisor or the HRHO when they experience or witness Harassment and/or Violence.
- Where appropriate, making every reasonable effort to resolve an alleged Occurrence of Harassment and/or Violence through Negotiated Resolution if implicated in the Resolution Process for an alleged Occurrence.
- Cooperating with an Investigator if involved in an Investigation of an alleged Occurrence.
- Refraining from retaliatory behaviour against the Principal Party, the Responding Party, Witnesses and any other individuals who are implicated in the Resolution Process for an alleged Occurrence.
- Respecting the confidentiality of the information shared throughout the Resolution Process of an alleged Occurrence

### **ROLE OF MANAGERS**

- Promoting a Workplace free of Harassment and/or Violence.
- Ensuring employees are informed of the terms and information contained within this Policy and where to locate the Policy (and all related information).
- Responding promptly and appropriately to any observed incidents and/or reports of Harassment and/or Violence.
- Liaising promptly with the HRHO when seeking guidance and support on issues related to Harassment and/or Violence.

## 7. RESOLUTION PROCESS

Air Canada takes Occurrences of Harassment and/or Violence very seriously. A Principal Party or a Witness may, in writing or orally, provide the HRHO or a Manager with a notice of an alleged Occurrence.

The HRHO is tasked with managing the Resolution Process for all alleged Occurrences. In order to ensure a streamlined process, the Principal Party or a Witness are encouraged to inform the HRHO whenever they provide a notice of an alleged Occurrence. In addition, Managers who receive a notice of an alleged Occurrence will promptly inform the HRHO, who will manage the Resolution Process. The Principal Party or a Witness can provide notice of an alleged Occurrence by completing the Workplace Harassment and Violence Notification Form (ACF25D). For answers to frequently asked questions or more information, please consult the FAQ.

The Principal Party or a Witness may also wish to communicate directly with the HRHO by sending an email to [harassmentoffice.harcelement@aircanada.ca](mailto:harassmentoffice.harcelement@aircanada.ca). If the Responding Party is not employed by the Company, the Resolution Process is not activated. Rather, the Company will review and, if necessary, update the Workplace Assessment as required. In cases where the Responding Party is an employee or Manager of Air Canada, and the Principal Party or a Witness is an employee or Manager of Air Canada Rouge, the parties will also jointly engage in the Resolution Process, as outlined in Appendix A.

All parties involved in the Resolution Process must keep confidential the information they have acquired throughout the process. The parties can only use or disclose it in accordance with this Policy or as necessary for the resolution of the matter, or for discipline or remedial measures and proceedings related thereto, or as required by law, or any combination of the above. Please note that the Principal Party and the Responding Party may be represented during the Resolution Process. Such representation shall not come in the form of providing testimony on behalf of the Principal Party and/or the Responding Party. In the case of unionized employees, union representatives shall be subject to the same terms of confidentiality as any other party involved in the Resolution Process. Also, should a party wish to be represented, it remains that party's responsibility to make the necessary arrangements (including assuming any costs of such representation) and ensure their representative's availability. For more information on suitable representatives, please consult the FAQ.

The HRHO must conduct an initial review of every notice of an alleged Occurrence. Please note, in order to proceed with the Resolution Process, it is mandatory to provide the name of the Principal Party who was involved in the alleged Occurrence, or otherwise identify them. If the name of the Principal Party is not provided to the HRHO, or they cannot be identified, the alleged Occurrence is deemed to be resolved.

For every notice of an alleged Occurrence, the HRHO shall provide a monthly update to the Principal Party and to the Responding Party, regarding the status of the Resolution Process. The Principal Party can elect to engage in multiple resolution channels simultaneously. However, the alleged Occurrence cannot be resolved by Conciliation or Negotiated Resolution after the Investigator has provided a copy of their final investigator report to the applicable parties. If the alleged Occurrence being investigated is resolved by Negotiated Resolution or Conciliation before the Investigator has provided their final investigator report, the Investigation must be discontinued.

Also, note that the Principal Party may end the Resolution Process, including the Investigation, at any time before the Investigator submits their final report by informing the HRHO that they choose not to continue with the process. Should this occur, Air Canada, jointly with its Applicable Partner, must review and update its Workplace Assessment.

The Company must ensure that the Resolution Process is completed within the later of one year following the date notification of the alleged Occurrence was provided or six months after the return to work of a party who has been temporarily absent for more than ninety consecutive days after the day the notice of an alleged Occurrence was provided. Any delays shall be identified and documented by the Investigator.

### **THE RESOLUTION PROCESS FOR AN ALLEGED OCCURRENCE IS COMPLETED WHEN:**

- a) Where applicable, a Workplace Assessment, its review and if necessary, an update of the assessment are carried out.
- b) The alleged Occurrence is resolved by joint determination, negotiated resolution or conciliation.
- c) Once the Company implements the recommendations of the Investigator in their report, if a report is provided.

## **I. Phase I: Notification & Initial Review**

### **A. NOTIFICATION OF AN ALLEGED OCCURRENCE**

The HRHO should be notified of an alleged Occurrence of Harassment and/or Violence as soon as possible, following a Principal Party or Witness witnessing an incident. Notice of an Occurrence must contain the following information: (I) the name of the Principal Party and the Responding Party, if known; (II) the date(s) of the alleged Occurrence(s), and (III) a detailed description of the alleged Occurrence(s). The HRHO will review the alleged Occurrence(s) and determine, based on the alleged conduct, if additional stakeholders are to be advised or consulted (i.e. Corporate Security). A Witness who provides a notice of an alleged Occurrence may do so anonymously.

The Principal Party and/or Witnesses are encouraged to preserve all records of the alleged Occurrence(s) and information related to the alleged Occurrence(s), such as dates, times, locations, names of Witnesses, as well as any documentary or physical evidence in support of their notice.

### **B. INITIAL REVIEW**

The HRHO must conduct an initial review of every notice of an alleged Occurrence to ensure it contains (I) the name of the Principal Party and the Responding Party, if known; (II) the date of the alleged Occurrence; and (III) a detailed description of the alleged Occurrence. If the Principal Party cannot be identified in the notice of an alleged Occurrence, the alleged Occurrence is considered resolved.

### **C. HRHO RESPONSE TO NOTICE OF AN ALLEGED OCCURRENCE**

If the notice of an alleged Occurrence was submitted by the Principal Party, the HRHO shall acknowledge receipt of the notice within seven days, and inform the Principal Party of (I) the manner in which they can access the Policy; (II) each step of the Resolution Process; and (III) that they may be represented during the Resolution Process.

If the notice of an alleged Occurrence was submitted by a named Witness (i.e. not anonymous), the HRHO must acknowledge receipt of the notice within seven days. The HRHO must then advise the Principal Party that they have been identified as such in a notice of an alleged Occurrence provided by a Witness, and inform them of (i) the manner in which they can access the Policy; (ii) each step of the Resolution Process; and (iii) that they may be represented during the Resolution Process.

On the first occasion the HRHO contacts the Responding Party regarding the alleged Occurrence, the HRHO must provide the Responding Party with, at least, the following information (i) that they have been named or identified as the Responding Party regarding an alleged Occurrence; (ii) of the manner in which the Policy may be accessed; (iii) of each step of the Resolution Process; and (iv) that they may be represented during the Resolution Process.

## **II. Phase II: Negotiated Resolution**

The HRHO, the Principal Party and, if contacted, the Responding Party, must make every reasonable effort throughout this phase to resolve an alleged Occurrence for which a notice was provided. Those efforts must begin no later than forty-five days after the day on which the notice was provided. In cases where the HRHO deems the alleged Occurrence to require immediate referral to an Investigator, this will be discussed at the first occasion, during the joint determination process.

### **A. REVIEW WITH PRINCIPAL PARTY – JOINT DETERMINATION**

As part of the Negotiated Resolution process, the Principal Party and the HRHO must review the notice of an alleged Occurrence together to determine whether the notice of an alleged Occurrence provided describes an action, conduct or comment that constitutes Harassment and Violence as defined in subsection 122 (1) of the Code.

During this review, the HRHO may gather additional details about the alleged Occurrence and the Principal Party may clarify what they are seeking as a resolution.

If the Principal Party agrees that the notice of alleged Occurrence does not describe an action, conduct or comment that constitutes Harassment and/or Violence as defined in subsection 122 (1) of the Code, the alleged Occurrence is resolved. As such, the HRHO shall communicate with the Principal Party, and the Responding Party if they were advised of the notice of alleged Occurrence, to advise them of the conclusion.



## **B. CONTINUING NEGOTIATED RESOLUTION**

The HRHO will consult and collaborate directly with supporting parties as necessary (i.e. Local Management, Human Resources, Labour Relations, etc.), to attempt to resolve the alleged Occurrence. Only information reasonably required for the resolution of the alleged Occurrence will be shared.

- For alleged Occurrences involving exclusively non-unionized employees, Human Resources will support local management during Negotiated Resolution.
- For alleged Occurrences involving exclusively unionized employees, the HRHO will support local management during Negotiated Resolution.
- For alleged Occurrences involving both non-unionized and unionized employees, Human Resources and the HRHO will support local management during Negotiated Resolution.

## **III Phase III: Conciliation**

The Principal Party and the Responding Party may attempt, at any time during the Resolution Process, to resolve an alleged Occurrence through Conciliation. However, Conciliation shall only proceed if both the Principal Party and the Responding Party agree to engage in Conciliation and agree on the person who will facilitate the Conciliation.

Further, Conciliation shall only proceed if an Investigator has not yet provided their final investigator report to the HRHO. The Principal Party and Responding Party are required to inform the HRHO of their desire to participate in Conciliation. The HRHO will then facilitate discussion around the selection of the conciliator and will schedule a time for both parties to meet with the conciliator, either separately or together.

## **IV Phase IV: Investigation**

At any time after providing notice of an alleged Occurrence, but after Joint Determination, during the Resolution Process, the Principal Party may request an Investigation, if an alleged Occurrence is not yet resolved through Negotiated Resolution or Conciliation. An Investigation of the alleged Occurrence must be carried out if the Principal Party requests it.

The Principal Party must inform the HRHO of their request and the HRHO shall then provide notice to the Principal and Responding Parties that an Investigation shall be carried out. This communication shall come in the form of a phone call and/or written document (i.e. Acknowledgement Letter). The HRHO will provide the Investigator with all information that is relevant to the Investigation.

## **Investigator Process**

This process applies to the Investigator, subject to superceding collective agreement requirements. The Investigator shall meet with the Principal Party to discuss the details of the alleged Occurrence and gather additional information. Following the interview(s), the Investigator shall provide the Principal Party with a summary of allegations (the “Summary of Allegations”). The Principal Party may request that the Investigator amend the Summary of Allegations.

The Investigator shall provide the Responding Party with a copy of the Summary of Allegations in advance of their interview, as well as an Acknowledgement Letter outlining (I) that they have been named or identified in a notice of an alleged Occurrence; (II) the matter in which they can access the Policy; (III) each step of the Resolution Process; and (IV) that they may be represented during the Resolution Process.

The Investigator shall determine if they will meet any relevant Witness(es) as well as any other procedural matters relating to the Investigation (i.e. review of documents or other evidence). The Investigator shall reconvene with any of the parties previously interviewed, including the Principal Party, for the purposes of asking additional questions, clarifying statements, addressing inconsistencies in statements, and/or to present new evidence.

## **Final Investigator Report**

The Investigator shall draft a final investigator report (“Final Investigator Report”) containing (I) a general description of the alleged Occurrence, (II) conclusions, including those related to the circumstances in the Workplace that contributed to the Occurrence, if it is concluded one occurred, and (III) recommendations to eliminate or minimize the risk of similar Occurrences if it is concluded one occurred. The Final Investigator Report shall not contain any recommendations related to administrative and/or disciplinary action. Any such consideration remains outside of the Investigator’s mandate.

The Final Investigator Report must not reveal, directly or indirectly, the identity of persons who were involved in the alleged Occurrence or in the Resolution Process for an Occurrence.

A copy of the Final Investigator Report shall be provided to the HRHO, the Principal Party, the Responding Party and the Workplace Health and Safety Committees. In concert, Corporate Safety and the Workplace Health and Safety Committees shall determine which of the recommendations are to be implemented, and the Company shall implement those recommendations.

## 8. FACTORS CONTRIBUTING TO WORKPLACE HARASSMENT AND/OR VIOLENCE

There are a number of risk factors that can contribute to Workplace Harassment and/or Violence. The purpose of the following information is to raise awareness of possible root causes of Workplace Harassment and/or Violence.

### WORK ENVIRONMENT

Certain work environments and workplace designs can result in additional hazards that may lead to Harassment and/or Violence. This can include:

- Working alone, in small numbers, or in isolated or low-traffic areas.
- Working during periods of intense organizational change (i.e. strikes, privatization, restructuring, downsizing).
- Working in an overcrowded environment.
- Working in an environment with high-noise levels.

### JOB FACTORS

Aspects specific to a job, such as mental and physical demands of the job, can result in additional hazards that may lead to Harassment and/or Violence. Job factors may include:

- Lack of control over how work is completed.
- Excessive workload.
- Unreasonable deadlines leading to high stress.
- Confusing, conflicting or unclear job or roles.
- Lack of job security.

## 9. HARASSMENT AND VIOLENCE PREVENTION TRAINING

Air Canada will provide all employees, including the HRHO, and Managers, with training on Harassment and Violence prevention. The training shall include the following:

- The elements included in this Policy;
- The relationship between Workplace Harassment and Violence and the prohibited grounds of discrimination set out in the *Canadian Human Rights Act*; and
- A description of how to recognize, minimize, prevent and respond to Workplace Harassment and Violence.

The training shall be reviewed and updated if necessary at least once every three years and following any change to an element of the training. Air Canada shall ensure that every new employee hired on or after January 1, 2021, is provided with training within three months after the day on which their employment begins, and at least once every three years thereafter. For employees hired before January 1, 2021, Air Canada shall ensure that they are provided training within one year after January 1, 2021, and at least once every three years thereafter. Further, all employees will receive this training following any change to an element of the training, or their assignment to a new activity or role for which there is an increased or specific risk of Workplace Harassment and Violence. The Company must ensure the HRHO is provided training before assuming its duties and at least once every three years after that. Managers must undergo the training within one year after January 1, 2021, and at least once every three years after that.

## 10. WORKPLACE ASSESSMENT

Air Canada and the Applicable Partner shall jointly carry out a Workplace Assessment.

The purpose of the initial Workplace Assessment is to identify risk factors that contribute to Harassment and/or Violence in the Workplace and to develop preventive measures to mitigate the risk of Harassment and Violence in the Workplace.

Air Canada and the Applicable Partner must jointly monitor the accuracy of the Workplace Assessment, and, if necessary, update the Workplace Assessment to reflect a change to the information set out in the assessment, including:

- A change in the risk factors, both internal and external, that contribute to Harassment and Violence in the Workplace; and
- A change that compromises the effectiveness of a preventative measure that has been developed and implemented.

Air Canada and the Workplace Committee must jointly review, and if necessary, update the Workplace assessment if a notice of an alleged Occurrence is provided and:

- The Occurrence is not resolved through negotiation between the Principal Party and the HRHO, and the Principal Party ends the Resolution Process; or
- The Responding Party is not an employee or a Manager; or
- Three years have passed since the last Workplace Assessment review or update.

## 11. PROTECTION AGAINST RETALIATION

This Policy prohibits any form of retaliation against any Air Canada employee who reports an alleged Occurrence, files a notice of Workplace Harassment and Violence, provides information regarding a notice or incident of Workplace Harassment and Violence, or is otherwise implicated in the Resolution Process. Any employee who engages in any retaliatory behaviour may be subject to discipline, up to and including termination of employment. Employees who feel they have been subjected to retaliation should communicate directly with the HRHO at [harassmentoffice.harcelement@aircanada.ca](mailto:harassmentoffice.harcelement@aircanada.ca).

## 12. NOTICES OF HARASSMENT AND/OR VIOLENCE SUBMITTED IN BAD FAITH

A person who provides a notice of alleged Occurrence that is found to have been provided in bad faith may be subject to disciplinary action, up to and including termination.

It should be noted that an unsubstantiated finding of Workplace Harassment and Violence is not equal to a notice put forward in bad faith (i.e. a finding that does not substantiate Harassment and Violence, does not automatically mean the notice was submitted maliciously or with bad intent).

## 13. PROTECTION OF PRIVACY

Air Canada is committed to the protection of the privacy of persons involved in an alleged Occurrence. As such, Committees are not permitted any involvement in the Resolution Process of an Occurrence.

Further, as previously mentioned, the Investigator must not reveal, directly or indirectly, the identity of persons who were involved in the alleged Occurrence or in the Resolution Process for an Occurrence, nor the identity of any person who witnessed an Occurrence or who was informed of an Occurrence by the Principal Party or the Responding Party in their Final Investigator Report, or any related documentation they produce and/or distribute. This includes any documentation produced and/or distributed to the Workplace Health and Safety Committees

## 14. OTHER RECOURSES

Other recourses may be available to persons who are involved in an alleged Occurrence. These include, where applicable, filing a grievance with their union, pursuing recourse under the *Canadian Human Rights Act* with the Canadian Human Rights Commission or pursuing recourse under the *Criminal Code*.

## 15. SUPPORT MEASURES: THE EMPLOYEE ASSISTANCE PROGRAM (EAP)

Any employee may at any point, including during or after the completion of the Resolution Process, seek counselling resulting from Workplace Harassment and Violence from the Employee Assistance Program. This is a free, confidential, short term counselling service offered by Air Canada to all active employees and their immediate families. Each employee group has their own sponsored plan. For more information, please visit HRConnex > Well-being > Upgrade to a Better You (UBY) > Mental Health Awareness > Employee Assistance Program on the ACAeronet.

## 16. EMERGENCY PROCEDURES

If a situation involves physical assault or the threat of immediate physical assault the following response should be followed, if safe to do so:

1. Call the Police and then call Security.
2. If required, evacuate the area immediately.
3. Inform your immediate supervisor or someone of authority in your department about the situation.
4. Follow instructions provided by your Manager and Security.
5. Do not attempt to negotiate or argue with the aggressor.

For additional information, please consult Air Canada's Emergency Handbook available on ACAeronet.

## 17. POLICY REVIEW

This Policy will be reviewed by the Company and the Applicable Partner at least once every three years, when changes to the Regulations are made, and following any change to an element of the Policy.

## 18. INQUIRIES

Questions regarding the application or interpretation of this Policy or the FAQ should be submitted directly to the HRHO at [harassmentoffice.harcelement@aircanada.ca](mailto:harassmentoffice.harcelement@aircanada.ca).

## 19. COMPLAINTS RELATED TO COMPANY NON-COMPLIANCE WITH THE CANADA LABOUR CODE

If an employee believes on reasonable grounds that there has been a contravention of the Code, linked with or occurring in the course of employment, as it relates to an alleged Occurrence of Harassment and/or Violence, the employee shall make either an oral or a written complaint to their supervisor, or to Ms. Emily Kaufer, Director, Human Rights and Harassment, who may be reached at (514) 422-6098 or at [emily.kaufer@aircanada.ca](mailto:emily.kaufer@aircanada.ca).

## 20. NON-COMPLIANCE WITH THE POLICY

Failure to comply with the Policy, including the roles and responsibilities of employees and Managers in relation to Harassment and/or Violence in the Workplace under section 6, may result in appropriate disciplinary action including the possible termination from employment with the Company.

## 21. AUTHORITY

The Executive Vice President, Chief Human Resources and Communications Officer and the Vice President, Safety are responsible for this Policy.

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**Policy Contacts**

Emily Kaufer  
Joseph Bajzath

**Policy Owners**

People, Culture & Communications  
Corporate Safety