

# Respectful Workplace Policy

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## **Policy**

Investors Group (the “Company”) is committed to providing a healthy, safe and productive work environment in which all individuals are treated with dignity and respect. The Company has a long-standing policy prohibiting discrimination, harassment and violence in its workplace. This means that the Company will not tolerate such conduct and will respond quickly and appropriately to allegations of discrimination harassment and workplace violence. The objective of the Respectful Workplace Policy (“the Policy”) is to educate, prevent, identify and correct conduct which may result in workplace-related discrimination, harassment or violence.

## **Scope of Coverage**

This Policy applies to all Investors Group employees, as well as to Consultants, Associate Consultants, Division Directors and Regional Directors (who are all independent contractors under contract with Investors Group). In the case of Consultants and their assistants, while Investors Group has no jurisdiction over their employment relationship, they are also subject to this Policy. Consultants, their assistants, Associate Consultants, Division Directors and Regional Directors are hereinafter referred to as the “Consultant Network”. The Policy also applies to other third parties including clients and suppliers who work with Investors Group to the extent their conduct interferes with the performance of work as described in the Policy. Investors Group will take all appropriate corrective action within its control against all such individuals if they are found to be in violation of the Policy.

The Policy prohibits discrimination, harassment and workplace violence on Company premises and also at off-site locations if there are real or implied consequences related to the workplace, for example, behaviour at off-site meetings or conferences, at client locations and in social situations related to work.

## **What Behaviour is Prohibited Under the Policy?**

Anyone subject to this Policy is prohibited from engaging in the following behaviour:

### **1. Discrimination**

The Company is committed to providing equal opportunities in employment, appointment and advancement based on appropriate qualifications, requirements and performance, and does not tolerate unlawful workplace discrimination.

Discrimination occurs when an individual is treated adversely simply based on their membership in a group that is protected by human rights legislation. You must not discriminate against anyone on the basis of any of the following actual or perceived grounds:

- Race, creed, colour, ancestry, aboriginal origin, ethnic background or origin, civil status, nationality, or citizenship;
- Age, sex, gender identity, or sexual orientation;
- Religion or religious activity, association, belief(s) or creed;

- Physical or mental disability or handicap;
- Political belief, opinion, activity or affiliation;
- Language or linguistic background;
- Marital status, family status or affiliation, pregnancy, possibility of pregnancy, or adoption;
- Lawful source of income or receipt of public assistance;
- Social condition or origin;
- Criminal conviction for which a pardon has been granted; or
- Actual or presumed association with other individuals or groups whose identity or membership is determined by any of the above grounds.

## 2. Harassment

The Company does not tolerate harassment which includes sexual, psychological or any other form of harassment that can be a form of discrimination. Harassment usually consists of a course of vexatious comment, conduct or behaviour based on one or more of the protected grounds of discrimination listed in the Human Rights Codes as well as based on physical size or weight, that is known or ought reasonably to be known to be unwelcome. A single such event can also be considered harassment where it appears to create a poisoned work environment. In some provinces, harassment is also prohibited by other legislation, such as workplace safety and health legislation if it creates a lasting and harmful effect on the worker including on their psychological or physical well-being. Harassment can occur between colleagues, management, employees, the Consultant Network, clients, suppliers, third parties and any combination thereof.

Workplace harassment can involve verbal, visual or physical misconduct but is not limited to the following types of behaviour:

- Demeaning jokes or “kidding around” that is unwanted or offensive;
- Racial or ethnic slurs;
- Derogatory or insulting remarks or gestures;
- Taunting or scapegoating;
- Refusing to work with or cooperate with others;
- Displaying or distributing pictures, computer screens e-mails, or other material that is offensive or inappropriate;
- Verbal abuse or threats;
- Threats or promises regarding job security, job opportunities or treatment for rejecting or accepting harassing behaviour.

### What Is Not Harassment

Harassment should not be confused with legitimate management actions, including measures to correct performance deficiencies or to impose discipline for workplace infractions. Examples of comments and conduct which do not constitute harassment include:

- Appropriate performance or probation evaluation;
- Day to day management and supervision;
- Genuine disagreements or misunderstandings;
- Legitimate work related changes;
- A single comment or action unless it is serious and has a lasting harmful effect.

Three common types of workplace harassment prohibited by legislation are:

**i) Sexual Harassment**

Sexual harassment is a particular form of sexual discrimination which involves unacceptable behaviour, conduct or comment of a sexual nature that is known or ought reasonably to be known to be unwelcome. Sexual harassment may include but is not limited to:

- Sexist jokes and derogatory remarks;
- Sexually suggestive gestures or innuendoes;
- Sexually explicit materials;
- Unwelcome physical contact of any nature;
- Comments about a person's body, sex life, relationships or physical appearance;
- Repeated unwanted flirtation, advances or social invitations;
- Requests for sexual favours or propositions;

**ii) Personal and Psychological Harassment**

Personal and psychological harassment (or bullying) consists of repeated objectionable and unwelcome comments or actions directed towards a specific person or group of persons which serve no legitimate work-related purpose and have the effect of interfering with a person's work performance or creating an intimidating, humiliating, hostile or offensive environment.

Examples include but are not limited to:

- Repeated verbal abuse and/or patronizing comments;
- Repeated incidents of yelling or name-calling; or
- Threats to terminate employment or contracts unrelated to performance.

**iii) "Poisoned Work Environment"**

A poisoned work environment can be created by the comments or conduct of a person that is directed at a particular group. Even if the comment or conduct is not directed at you specifically, you may still experience a poisoned work environment if you are a member of the group targeted (e.g., same sex or gender or sharing the same gender determined characteristic, age, sexual orientation). As well, a poisoned work environment can develop when associations or alliances in the workplace exclude an individual or group of individuals in such a way that they feel disadvantaged or undervalued.

### **3. Violence**

Investors Group recognizes that any form of violence in the workplace is unacceptable, and is committed to minimize and, to the extent possible, eliminate the risk of violence in the workplace. The Company also recognizes that violence is an occupational health and safety hazard at the workplace, and that physical and emotional harm results from violence.

**"Workplace violence"** is actual, attempted or threatened conduct by any individual that causes or is likely to cause physical injury to a person in the workplace and also at off-site locations if there is a real or implied consequence related to the workplace, and includes any threatening statement or behaviour that gives a person reasonable cause to believe that the person is at risk of physical injury. An individual who inflicts workplace violence on a person may be an employee, a client, a spouse or domestic partner of the person, or someone unknown to the person.

Acts of violence may occur as a single event or may involve a continuing series of incidents. Workplace violence may include, but is not limited to:

- Verbal or written threats;
- Threatening actions - e.g. physical intimidation (shaking fists), throwing objects, property destruction; or
- Physical Attacks.

The Company supports the principles of, and complies with, applicable laws governing workplace violence in every location where it operates.

Any victim of workplace violence is advised to consult a Health Professional of his or her choice for examination, treatment or counseling.

Anyone who feels they have been the victim of workplace violence or have witnessed a situation involving workplace violence should immediately report the circumstances to their leader, any other Investors Group leader or Human Resources. Individuals are encouraged to do everything they can to assist in keeping the Investors Group workplace safe and harassment-free.

### **Precautions**

The Company encourages employees to be personally vigilant and to take precautions to limit their potential risk of exposure to violence. These can include, but are not limited to:

- Not working alone with an unfamiliar individual;
- Developing a periodic check-in procedure when working out of the office;
- Knowing your emergency exits, procedures and contact information;
- Reporting suspicious individuals to security and/or management;
- Knowing where to access a telephone; or
- Deciding ahead of time how to respond to a potentially violent situation.

### **Notification of Workers at Risk**

If a Manager/Supervisor or member of the Human Resource Department is aware that a worker can be expected to encounter a person in the course of his or her work with a history of violent behaviour and the risk of workplace violence by that person is likely to expose the worker to physical injury, the Company will take the following steps to ensure the safety of all employees:

- Human Resources will advise the employees who are at risk; and,
- Appropriate steps will be taken to protect employees.

In doing so, Investors Group will limit its disclosure of personal information to what is reasonably necessary to protect employees from physical injury.

### **Summoning Immediate Assistance**

Where immediate assistance is required, contact building security or when appropriate dial 911. Please review Emergency 911 calling procedures and Building Security numbers for each office location on [Advantage Plus](#) / [Source](#).

### **Threat of Imminent Physical Harm or Physical Violence in Progress**

Anyone believing there is a threat of imminent physical harm or physical violence in progress must:

1. Summon immediate assistance including medical assistance as deemed appropriate;
2. Ensure the safety of individuals including yourself ( for example getting people away from the scene as quickly as possible and informing others in the immediate area to stay away from the scene); and,
3. Inform your Leader or Region Office Coordinator.

### **Domestic Violence**

Any employee or member of the Consultant Network who believes that domestic violence may occur in the workplace that would likely expose the employee / member of the Consultant Network or another individual to physical injury should report the matter to their Leader and Human Resources.

## **Roles & Responsibilities**

### **Employees / Consultant Network**

It is the responsibility of everyone to whom this policy applies to act in accordance with this Policy. Anyone who is covered by this Policy is encouraged to report incidences of harassment, discrimination and workplace violence to their leader, or to Human Resources. Individuals should normally raise a complaint under this Policy within twelve months of the alleged violation. Situations older than twelve months that come to the Company's attention may be addressed if there were strong reasons for an individual not acting sooner and if an appropriate resolution is feasible given the passage of time.

### **Leaders**

For the purposes of this Policy, a "leader" is someone who has management responsibilities or who supervises employees and in the case of the Consultant Network, includes Regional and Division Directors and Consultants who employ assistants.

Leaders have the additional responsibility to take all necessary steps to prevent discrimination, harassment and workplace violence in their departments. All leaders will:

- Set a tone of mutual respect and well-being;
- Take action to ensure that all employees and members of the Consultant Network are informed of the Company's Respectful Workplace Policy;

- Take all complaints under this Policy seriously and promptly advise a member of Human Resources;
- Inform all employees and members of the Consultant Network of the options and procedures for handling complaints;
- Even where there is no individual complaint, report to Human Resources any discriminatory, harassing or violent behaviour that is known by them to be taking place;
- Provide support in addressing issues or complaints under this Policy.

Failure to take action as required under this Policy may result in the leader being found responsible for failing in their duties or possibly even being found to be a party to the breach of this Policy.

### **Human Resources**

In this Policy, the term “Human Resources” applies to both the Human Resources Department and to the Consultant Network Support Department.

Human Resources has the responsibility to:

- Receive complaints of discrimination, harassment and in cases of workplace violence, work with the Workplace Health and Safety committee, and take all complaints seriously and deal with them promptly;
- Provide advice and information to individuals on matters of discrimination, harassment and in cases of workplace violence, work with the Workplace Health and Safety committee;
- Investigate complaints where required under this Policy;
- Determine an appropriate resolution.

### **What To Do If You Believe Your Rights Under the Policy Have Been Violated**

The Company takes all reports of unlawful discrimination, harassment, violence or unacceptable behaviour seriously, and requires that they be investigated on a timely basis. You must co-operate fully with all such investigations. Anyone who believes they have been subjected to any behaviour which is contrary to this Policy, may address their concerns in the following ways:

#### **Direct Action**

If you feel comfortable and safe in doing so, you can ask the other party to stop the behaviour. It is recommended that you also keep a written record of what happened, including the dates of the incident(s), the times, specific witnesses and any other important details.

#### **Assisted Action**

You can report your concern to your leader, any Investors Group leader or Human Resources, without fear of reprisal or retaliation. Leaders are obligated to report any concern under this Policy relayed to them to Human Resources. Leaders can assist you in various ways, including coaching to help you deal with the other party. In such a case, the leader will follow up with you to ensure that your concerns have been addressed. The leader will also record your concern and how it was resolved.



Human Resources can assist you in various ways, including:

- **Intervention.** This could include a discussion by Human Resources with the other party about the behaviour you find offensive. Depending on the gravity of the complaint, Human Resources may suggest that your leader attempt to manage the situation at the department or local level. In many cases, the other party had no intent to offend and the matter can be resolved through education. Where intervention is pursued, Human Resources or the leader will provide the other party with a copy of this Policy and express their expectation that this kind of situation will not happen again. If the other party denies the behaviour, the matter will be referred back to Human Resources for further action. In certain circumstances, for example where the party who is the subject of your complaint is your leader, Human Resources may initiate other intervention which may include reassigning you or your leader to different duties pending the resolution of the problem.
- **Investigation.** In certain cases an investigation may be required, for example, when there is a disagreement on the facts, when your concern is a wide-spread problem, when information from other persons is required, or when Human Resources otherwise believes that an investigation is required. In most cases, Human Resources will handle the complaint but in certain cases, Human Resources may retain an external investigator.
- **Mediation.** This occurs when you and the other party agree to meet with a neutral person to assist in reaching a resolution. It is a confidential process where the parties can participate in a search for a solution. Mediation may be pursued at any time during the course of addressing a concern under this Policy provided both parties consent and agree to the confidentiality of the mediation process in writing. Except in exceptional circumstances, Investors Group will not be involved in the mediation process. Where mediation is requested during the course of an investigation, the investigation will usually be suspended pending the outcome of the mediation. If a resolution is not agreed upon, the investigation will resume without disclosure or reference to matters discussed at the mediation.
- **Follow-up.** If you decide to deal directly or through your leader with your concern, Human Resources will follow up to ensure that your concerns have been addressed.
- **Record-keeping.** Human Resources will record your concern and how it was resolved.

## **The Investigation Process**

In this section, “complainant” is the person who has made a complaint under this Policy and “respondent” is the person against whom a complaint is made.

### **General Procedure**

Human Resources, and where appropriate, the Workplace Health and Safety Committee, has the responsibility for investigating complaints under this Policy. While Human Resources has discretion to tailor the investigative process to the specific circumstances, the investigation will generally involve the following:

- Human Resources will meet with the complainant and determine whether the allegations fall within the Policy. If they do not, Human Resources will advise the complainant that no further action will be taken under the Policy. If the allegations fall within the Policy, an investigation will be initiated and the complainant will be asked for a full written statement.
- Human Resources will appoint an investigator from Human Resources or an external investigator.
- The investigator will apprise the complainant of the steps in the process, including approximate timelines. The investigator will also ask the complainant any questions the investigator has.
- The investigator will then meet with the respondent to advise that an investigation has been commenced. The respondent will be given a copy of the complaint or sufficient information about the allegations to respond, along with a copy of the Policy. The respondent will be advised of the steps in the process, including approximate timelines. The respondent will be asked to respond to the complaint in writing.
- The complainant will be given a copy of any written response provided by the respondent or sufficient information about the respondent’s response to make a rebuttal of any points advanced by the respondent that the investigator considers relevant.
- If appropriate, the respondent will be given a copy of the written rebuttal provided by the complainant or sufficient information to permit the respondent to rebut new points advanced by the complainant which are relevant.
- The investigator may conduct further interviews of the complainant, respondent and of any other party as the investigator deems appropriate.
- The investigator will prepare a report for Human Resources setting out the allegations, the information obtained in the course of the investigation and the investigator’s findings.
- If the Policy has been breached, Human Resources will determine an appropriate disposition.
- Human Resources will advise the complainant, respondent and leaders involved in writing, of the outcome of the investigation including any disciplinary and/or other appropriate action that has been taken.
- Human Resources and the leaders involved will confirm compliance with any disposition requiring further action.

## **Appeal**

Once the final disposition is handed down, a complainant or respondent may appeal the findings to the Senior Vice-President, Human Resources, within five (5) days after learning of the decision. The Senior Vice-President, Human Resources, shall determine whether there is sufficient reason to review the matter. In cases where a review is warranted, the Senior Vice-President, Human Resources, shall appoint a different investigator (“the appeal investigator”) to review the complaint file documentation. The appeal investigator may make recommendations as to further investigation, affirm or change the disposition. The appeal investigator’s decision shall be final.

## **Consequences of Investigative Outcome**

If the complaint is validated, the respondent will face disciplinary, corrective and/or preventative action as determined by the Company.

- disciplinary letter in the offender’s file;
- an apology issued to the complainant;
- training and/or coaching;
- a police investigation where illegal actions have been discovered;
- suspension with or without compensation;
- transfer;
- termination; or
- any other disciplinary action deemed appropriate under the circumstances.

If the complaint is not found to be valid, there will be no negative consequences to the respondent. In this case, there will also be no negative consequences to the complainant unless it is found that the complainant initiated the complaint in bad faith.

If there is insufficient information or evidence to validate or invalidate the complaint, the file may stay open and Human Resources will advise of any follow up actions to either gather more information or to prevent recurrence.

## **Duty to Investigate in Absence of Complaint**

Investors Group may cause an investigation to be conducted in the absence of a complaint or in the face of an unwilling complainant where it deems it appropriate to do so.

## **Time Frames**

While best efforts will be made to comply with the following time frames, a failure to do so does not void the process:

- Unless the situation warrants immediate referral for mediation or investigation, leaders and/or Human Resources should attempt to resolve a complaint within 30 days of becoming aware of it.
- Mediation should be completed within 15 days of assigning a complaint to a mediator.

- An investigator should be assigned within 10 working days of the decision that a complaint will be investigated.
- The investigator should complete the investigation and submit a final report within 45 days after being assigned to the investigation.
- The complainant, respondent and leaders involved should be notified of the outcome of an investigation including within 15 days of the submission of the investigator's final report.
- The complainant or respondent who wants to appeal should do so within 5 days after learning of the outcome.
- An appeal investigator should make a determination with respect to the appeal within 15 days of being appointed the appeal investigator.

### **Interference and Retaliation**

Interference with the course of an investigation or retaliation against a complainant or witness, is prohibited under this Policy and may itself constitute discrimination or harassment or otherwise result in disciplinary action up to and including a termination for cause.

All parties subject to this Policy are expected to fully and honestly participate in the investigative process. Failure to do so may also result in disciplinary action.

### **Confidentiality and Privacy**

Everyone involved in a complaint under this Policy must keep the name of the complainant and respondent, the fact that a complaint has been made and the details of the complaint strictly confidential. Investigations and all information provided or received during the course of them, is also confidential. No participant will share with another participant in an investigation including witnesses any such confidential information subject to the rules below and except where sharing of information is otherwise required by law:

However in cases of workplace violence, the Company is required to provide information, including personal information, to employees and members of the Consultant Network about a person with a history of violent behaviour if the employee or member for the Consultant Network may be expected to encounter that person in the course of his or her work and/or the risk of workplace violence is likely to expose the employee and/or member of the Consultant Network to physical injury.

- The Company is only permitted to disclose the amount of personal information reasonably necessary to protect the employees and/or members for the Consultant Network from physical injury.
- Complainants, respondents and witnesses must have access to statements they have made and personal information which they have provided.

- Respondents and complainants must have access to relevant information about the allegations, responses and witness statements to enable them to make a defence or a rebuttal.
- Personal information must only be used when administering this Policy.
- In the case of a complainant, no record of the complaint shall be kept in the complainant's employee or Consultant Network member's file unless it is determined that the complainant made the complaint in bad faith and disciplinary action was taken.
- In the case of a respondent, no record of the complaint shall be kept in the respondent's personnel or Consultant's Network member's file unless it is determined that this Policy was breached and disciplinary action was taken.
- All other information pertaining to the investigation shall be retained in a secure file held by Human Resources for ten years.

Breaches of these confidentiality and privacy provisions by any person may be subject to disciplinary action up to and including immediate termination for cause.

### **External Complaint Mechanisms**

The Policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law. In addition to the internal Investors Group complaint process set out above, any individual to whom this Policy applies has the further option of pursuing external avenues of recourse available such as through the provincial Human Rights Commission or they may wish to seek their own independent legal advice concerning any other remedies that may be available. In some jurisdictions, specific time limits may apply.

### **Employee and Consultant Support**

Confidential Employee and Consultant assistance is available, free of charge, through Shepell-FGI. Please call 1-800-387-4765 (English) or 1-800-361-5676 (French) if you would like to discuss any personal or workplace issues that you may need help dealing with or if you have been a victim of workplace violence or harassment.