

Respect in the Workplace Policy

Mackenzie Investments (The Company) is committed to providing a healthy work environment in which all individuals are treated with dignity and respect. We recognize that each person has the right to work in conditions that promote equal opportunities and prohibit discriminatory practices. The Company does not condone behaviour that is likely to undermine an individual's dignity, self-esteem or productivity.

This Policy prohibits all forms of discrimination and harassment in the workplace whether specifically addressed by legislation or not. The Company does not tolerate harassment or discrimination, and will act promptly and effectively to deal with this type of conduct.

The Company will ensure that workers who believe that they have been subjected to harassment or discrimination are able to bring forward complaints without fear of retaliation or reprisal. We will exercise care to protect and respect the rights of both the complainant and the respondent.

Scope and Application of Policy

This Policy applies to all employees, contract staff, independent consultants (Workers) and covers their interactions with vendors, clients, delivery/service persons, visitors and other third parties with whom they interact while engaged in business related activities.

To the extent possible, The Company will apply this Policy to any person who comes on The Company's premises or with whom The Company's Workers interact while engaged in business-related activities.

This Policy applies to The Company's offices (whether owned or leased), off-site locations where Company business occurs (including client offices), Company sponsored functions and social events (whether taking place on Company grounds or elsewhere), and during travel, at restaurants, hotels or meeting facilities that are being used for business purposes.

Mackenzie's Safe Workplace Policy should be consulted regarding issues of discrimination and harassment that involve physical violence or the threat of physical violence.

Responsibilities

All Workers

It is the responsibility of all Workers to refrain from activities that may, on reasonable grounds, be perceived as discriminating against or harassing other Workers. Workers need to be sensitive to the values and feelings of others so as to create and maintain a respectful workplace.

Workers who have been subjected to harassment or discrimination should notify their Manager, Human Resources or any other member of management.

Workers are also expected to assist in the implementation and enforcement of this Policy by notifying their Manager, Human Resources or any other member of management of any harassing or discriminatory conduct that comes to their attention, cooperating in any investigation carried out under this Policy, and keeping any information received in connection with the investigation confidential.

Managers/Supervisors

Managers/Supervisors are responsible for providing a work environment free of discrimination and harassment. All Managers/Supervisors will:

Set a tone of mutual respect and well-being in the workplace.

Take action to ensure that all Workers are informed of this Policy.

When a Manager/Supervisor receives a complaint, or knows or suspects that a Worker has been the victim of discrimination or harassment, he/she must inform Human Resources immediately so that a proper investigation can be undertaken and the conduct stopped. Failure to take action may result in the Manager/Supervisor also being found responsible for the discrimination or harassment.

Human Resources

Human Resources is responsible for working with leaders in dealing with situations involving discrimination or harassment. Human Resources will:

Initiate the investigation of complaints.

Provide counsel to Managers/Supervisors and Workers on matters of discrimination or harassment.

In conjunction with Manager (s)/ Supervisor (s), determine an appropriate resolution plan which may include disciplinary action.

Definitions

Discrimination

Discrimination consists of unfair treatment that is based upon grounds protected in human rights legislation such as sex, colour, race, ancestry, place of origin, ethnic origin, citizenship, age, sexual orientation, gender identity, gender expression, marital status, family status, disability, religion, creed and record of offences. Provincial laws protect employees from discriminatory conduct that affects tangible job benefits, including hiring, terminating, promoting, compensating or any other employment practice.

Examples of discrimination include (but are not limited to) the following:

- failing to award a job promotion to someone on the basis of one of the prohibited grounds or;
- refusing to hire someone on the basis of one of the prohibited grounds

Harassment

Harassment can be a form of discrimination. It may consist of a single serious incident or repeated objectionable and unwelcome comments or actions directed at an individual. The following section outlines the different types of harassment:

1. Harassment under the Occupational Health and Safety Act (Ontario) and the Ontario Human Rights Code involves unwelcome and offensive comments, conduct, gestures or physical contact based on or related to the grounds covered by human rights legislation discussed above. Harassment may be deemed to have occurred when the behaviour concerned:

- is likely to be offensive, embarrassing or humiliating;
- might, on reasonable grounds, be perceived as placing a condition on employment, its terms or continued employment;
- has the purpose or effect of interfering with an individual's work performance, or creating an intimidating, threatening, hostile or offensive work environment.

Whether or not the individual intends to offend or cause embarrassment is irrelevant. Harassment occurs when the individual knows or ought to know that the behaviour is offensive. A standard of a “reasonable person” is used to assess behaviour whereby one asks the question: “Would a reasonable person (not too sensitive or insensitive) of the same gender and bearing the same other identifying traits as the complainant (i.e., age, ethnic origin, religious beliefs) be offended by the conduct in question?”

Some examples of workplace harassment prohibited by human rights legislation include (but is not limited to):

- offensive comments, jokes or behaviour that disparage or ridicule a person's membership in one of the protected grounds, such as race, religion or sexual orientation
- imitating a person's accent, speech or mannerisms
- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children
- inappropriate comments or jokes about an individual's age, personal appearance or weight
- differential treatment of an employee based on race, colour, ancestry, place of birth, religious belief, ethnicity or any other protected ground

Under the *Occupational Health and Safe Act (Ontario)*, the definition of “workplace harassment” was expanded to specifically include “workplace sexual harassment”, which involves engaging in a course of vexatious comments or conduct against a Worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought

reasonably to be known to be unwelcome or 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. Examples include (but not limited to):

- unwanted physical contact such as touching, patting, pinching;
- unwelcome remarks, jokes, innuendoes, gestures or taunting about a person's body, attire, sex, sexual orientation, age, or marital status;
- making sexual requests or suggestions;
- leering or other gestures of a sexual nature;
- displaying or circulating sexually offensive photos or visual materials;
- being verbally abusive because of a person's gender; and
- making stereotypes about an individual's gender.

Harassment can have a bad effect on, or poison, the workplace. A poisoned workplace may 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 an employee(s), they may still experience a poisoned work environment if they are members of the group targeted.

2. Personal Harassment or Bullying is harassment that may not be related to a specific ground protected by the Ontario Human Rights Code, and consists of 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. It usually has the following components:

it is generally repetitive, although a single serious incidence of such behaviour may constitute harassment

if it has a lasting harmful effect;

it is hostile, abusive or inappropriate;

it affects the person's dignity or psychological well-being ;

it results in a poisoned work environment.

Examples of personal harassment or bullying include (but are not limited to):

- repeated verbal abuse and/or patronizing comments that are humiliating or demeaning;
- repeated incidents of yelling, screaming or name-calling;
- threats to terminate employment or contracts unrelated to performance
- spreading malicious rumours, gossip or innuendo that is untrue
- socially excluding or isolating someone at the workplace
- intentionally undermining or deliberately impeding a person's work
- belittling a person's opinions

- cyber-bullying or negative blogging
- targeting someone in humiliating practical jokes
- other communications and/or conduct that is demeaning, insulting, humiliating, mocking, belittling or degrading

All forms of harassment may be directed by one Worker to another, or between a supervisor and Worker or group of Workers. As well, it can involve a Worker and a person from a third party Company. Harassment is not limited to incidents that occur within the workplace and can take place away from work, but resulting from work such as: business related functions or social events related to work. This Policy prohibits all forms of harassment on, or away from, Company premises.

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 of your work
- healthy and respectful social interaction
- genuine disagreements or misunderstandings
- work related changes
- a single comment or action unless it is serious and has a lasting harmful effective.

What to do if you feel you have been subjected to discrimination or harassment

The Company encourages reporting of incidents of harassment or other forms of discrimination, regardless of who the offender may be. If you feel you are being, or have been, harassed or otherwise discriminated against, you should take the following actions:

Clearly inform the offender that the behaviour is unwanted or unwelcome or otherwise inappropriate. A direct statement to the offender may put an end to it.

If you are reluctant to confront the offender because you fear reprisal from the offender and/or lack of support from the work group, a supervisor or others, verbally or in writing let your Manager/Supervisor, Human Resources or any other Senior Manager with whom you are comfortable know of the offensive conduct. If the offender is your direct supervisor or another member of The Company's management team you should report the situation to Human Resources.

Document the events, complete with times, dates, locations, witnesses and details. A written account will

assist the investigation process if such action becomes necessary.

How Complaints Are Investigated

All complaints are considered serious and Managers/Supervisors must refer the matter to Human Resources without delay for prompt and effective handling. Upon being informed of an allegation of discrimination or harassment, Human Resources will:

Interview the following individuals as soon as possible:

- the complainant and alleged offender;
- any witnesses, including individuals suggested by the complainant or the alleged offender;
- any others who might possess relevant information about the complaint.
- Gather any relevant documentary evidence, including notes made by the complainant.
- Document all aspects of the complaint and the investigation accurately and completely. Promptly determine whether there has been a contravention of this Policy and the appropriate response.
- Notify the complainant and respondent of the outcome of the investigation, although not necessarily all details of the investigation or actions taken.
- Document any findings of harassment or discrimination in the offender's personnel file and
- Take the appropriate corrective action, if any, which may include disciplinary action (up to and including termination of employment for cause).

It is important to receive a complaint as soon as possible so that the problem does not escalate or happen again. Once Human Resources receives a complaint and determines that the conduct complained of falls within the scope of this Policy, Human Resources will complete the investigation within 90 days, absent exceptional circumstances.

Anonymous complaints will generally not be investigated or otherwise acted upon.

If it is determined that the complaint is unfounded, no further action will be taken and no record of the complaint will be placed in the alleged offender's personal file. Invalid or fabricated claims, brought for improper or ulterior purposes, may result in disciplinary action against the complainant up to and including dismissal for cause.

In certain circumstances, the Company may in its sole discretion decide that the allegations be investigated by an external investigator.

Confidentiality, to the extent possible, will be maintained by The Company. Information obtained about an incident or complaint of workplace harassment, including identifying information about individuals involved will not be disclosed unless the disclosure is necessary for the investigation or corrective action, or is required by law. All parties involved in an investigation including the complainant, respondent, and witnesses are expected to maintain confidentiality; including throughout the investigation and

afterwards. Breaches of confidentiality by any person may be subject to disciplinary action by the Company up to and including dismissal.

Once the investigation is complete both the complainant and the respondent will be notified in writing of the results of the investigation and of any corrective action.

Corrective Action

The Company's Policy is to investigate all reported complaints thoroughly and promptly. If an investigation confirms that a violation of this Policy has occurred, corrective action will be taken as is appropriate, including (but not limited to):

- A written warning to the offender and a copy of the warning entered into the offender's personnel file.
- The offender may be transferred to another area.
- Counseling may be recommended for the offender.
- In some cases, the offender will be suspended pending further investigation.
- The offender's employment may be terminated immediately for cause.
- Additionally, in investigating complaints of harassment or discrimination under this Policy, the Company may impose discipline, up to and including immediate dismissal for cause, for inappropriate conduct, unrelated to the complaint that comes to its attention.

External Complaint Mechanisms

In addition to the internal complaint process set out above, Workers have the further option of pursuing external avenues of recourse available such as through their provincial Human Rights Commission or 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.

Protection from Retaliation

All Workers have a right to make a complaint or enforce their rights under this Policy without retaliation or threat of retaliation. All others involved, including witnesses, investigators and decision-makers who carry out their duties in good faith are also not to be penalized for their participation in the complaint procedure or otherwise in carrying out their responsibilities under this Policy. Retaliation will not be tolerated and anyone who engages in retaliatory conduct will be subject to discipline up to and including dismissal for cause.

Timeframe for Reporting a Complaint

The Company encourages employees to raise concerns of workplace conduct early in the dispute before the conflict escalates and when resolution is more easily attainable. In any event, a Worker who believes that he or she is being discriminated against or harassed should file a complaint as soon as possible from the date of the alleged incidents. Promptness in reporting a complaint protects the rights of both the person making the complaint and the person whose actions are in question. With the exception of a claim of sexual harassment or sexual assault, any complaint brought more than twelve months after the last incident may not be investigated by The Company.

Policy Review

This policy will be reviewed and staff will be informed of this policy annually. For further information about this Policy, please contact Human Resources.

