



## POLICY GUIDANCE & STANDARDS

### HARASSMENT AND VIOLENCE FREE WORKING ENVIRONMENT

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#### SCOPE AND PURPOSE

This policy, guidance & standard (PG&S) applies to Suncor Energy Inc. and its subsidiaries world-wide (collectively "Suncor" or "Company"). References in this document to "Suncor Personnel" include directors, officers, employees, contract workers, consultants and agents of Suncor. These standards apply to all Suncor Personnel in their dealings with each other, and with those with whom Suncor does business.

This PG&S is subject to and forms part of Suncor's Standards of Business Conduct Code and Compliance Program.

#### GUIDANCE & STANDARDS

Suncor is committed to providing a work environment that is free from harassment, violence, threats of violence, intimidation, and other disruptive behaviour from fellow employees or other Suncor Personnel, or people with whom Suncor does business, and all Suncor Personnel are expected to conduct themselves accordingly. No retaliation or reprisals will be tolerated against any individual who, in good faith, complains of, reports or participates in the investigation of any incident of alleged harassment. All Suncor Personnel who participate in harassing behaviour or other behaviour prohibited by this PG&S may be subject to appropriate remedial and/or disciplinary action, including dismissal for cause or termination of contract, as the case may be.

All Suncor Personnel are entitled to employment free from harassment, violence, threats, intimidation and other disruptive behaviour. If you feel that you are being harassed or subject to other behaviour that is contrary to this PG&S, you are strongly encouraged to follow the guidelines attached to this PG&S to report the incident.

This PG&S is designed to ensure that:

- (a) all employees and others working at or with Suncor who believe they have been harassed have a process through which to lodge a complaint that is easily accessible, confidential and allows for investigation in an impartial manner through to resolution, and
- (b) those accused, once a claim has been substantiated, are given fair opportunity to correct their behaviour depending upon the seriousness of the offence.

## **APPLICATION**

Suncor does not intend to interfere with free speech or everyday social relations that are part of a normal, vital workplace. Harassment is distinguishable from such social relations; harassment involves behaviour that demeans, humiliates or embarrasses a person, and that a reasonable person should know would be unwelcome.

Complaints filed will be handled **confidentially** and promptly in accordance with this PG&S. All parties involved will be treated fairly and with dignity and respect throughout the process of the investigation.

## **RESPONSIBILITY**

All Suncor Personnel are expected to act in a manner consistent with the requirements of this PG&S. No matter what their position, or that of the people with whom they interact, showing mutual respect and consideration is a fundamental expectation of our workplace.

Managers shall assess the risks of workplace violence, communicate this PG&S and its procedures, take all reasonable and practical measures to minimize or eliminate risks identified through the risk assessment, workplace inspections, or the occurrence of an incident and promote a work environment consistent with this PG&S. They are expected to ensure that Suncor Personnel understand and comply with this PG&S and abide by applicable legislation.

Human Resources directors, in conjunction with the Legal Affairs department, are responsible for keeping managers informed of applicable legislation, and for developing a program to implement the PG&S. They are also responsible for assisting management to implement this PG&S, and determining the appropriate resolution to a complaint and for responding to any related government inquiries.

The Senior Vice President. Human Resources will initiate reviews of this PG&S.

In some situations, managers, as well as Suncor, may be held legally accountable for the actions of their employees. Therefore, a manager who has received a complaint pertaining to violence or harassment must consult with the appropriate Human Resources directors who will in turn advise and act in conjunction with the Legal Affairs department.

## **DEFINITION OF HARASSMENT**

Harassment is any improper comment or behaviour that demeans, humiliates or embarrasses a person, and that a reasonable person knows or should have known would be unwelcome. It includes actions (such as touching or pushing), comments (including jokes and name-calling) and visual displays (such as posters and cartoons), which are perceived as insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual, or which create an uncomfortable or threatening work environment, and includes sexual harassment, discriminatory harassment and other forms of harassment. Harassment can involve a single incident, or a series of incidents. Harassment can also occur on-line or through social media, as inappropriate emails, texts and social media posts can be equally hurtful. All forms of harassment are prohibited by this PG&S.

The above are examples only and may not cover all circumstances. Individuals should exercise their own judgement if they feel that they are being harassed and are encouraged to seek guidance from Human Resources or the Legal Affairs department.

Certain forms of harassment in employment (including harassment that is related to race, national or ethnic origin, colour, religion, age, sex, marital status, family status, citizenship, disability or sexual orientation) are not only contrary to this PG&S – they are also unlawful.

Legitimate management intervention, or exercise of authority, including performance appraisals, counselling and discipline, is not harassment.

Workplace banter is not harassment if everyone involved agrees and no-one involved is demeaned, humiliated, embarrassed or intimidated. But if any person feels uncomfortable with this behaviour, whether they participate or not, then it is harassment.

### **Sexual Harassment**

Sexual harassment has been defined in some jurisdictions as ‘any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation to any employee or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion. Such harassment can include direct advances and reprisals or threats of reprisal if the advances are rejected.

Sexual harassment also includes offensive or humiliating behaviour of a sexual nature that creates an intimidating, hostile or “poisoned” work environment. It occurs when comments or actions ridicule or demean a person or group of persons. A few examples are: questions and discussions about a person’s sexual life; touching a person in a sexual way; commenting on someone’s sexual attractiveness or sexual unattractiveness; persisting in asking for a date after having been refused; telling a woman she belongs at home or is not suited for a particular job; eyeing someone in a suggestive way; displaying cartoons or posters of a sexual nature; obscene jokes, suggestive comments, and writing sexually suggestive letters or notes, including emails; and offensive, obscene or persistent phone calls.

Sexual harassment is frequently more about the abuse of power than sex. It often occurs in situations where there is unequal power between the people involved, and is an attempt by one person to assert power over the other. The harassment can also occur when an individual is in a vulnerable position because he or she is in the minority.

Employees flirting with each other or becoming involved in a romantic or sexual relationship are not harassing each other, as long as the relationship is consensual and none of the elements of sexual harassment, discussed above, are present. If one of the employees changes her or his mind, and the other person persists in trying to continue the relationship, then the conduct can quickly become harassment and would fall within the behaviour prohibited by this PG&S.

### **Discriminatory Harassment**

Discriminatory Harassment is any verbal or physical conduct, including statements or written or displayed materials, directed against any person on the basis of that person’s race, gender, place of origin, age, religion, physical or mental disability, ancestry, colour, ethnic origin, citizenship, creed, sex, sexual orientation, marital status or family status. Some examples of discriminatory harassment may include, racial or ethnic slurs, innuendos concerning a person’s age, marital status, sexual orientation, ethnic or racial origin, religion or disability; sexist, racist, ethnic or religious graffiti, offensive posters, and e-mails or screen savers mimicking someone with a disability.

## **Other Harassment**

Disrespectful behaviour, also known as “personal” harassment, is also covered by this PG&S. While it also involves unwelcome behaviour that demeans or embarrasses an employee, the behaviour is not based on unlawful discrimination or is not sexual in nature. It includes patronizing or condescending behaviour, such as humiliating an employee in front of co-workers and practical jokes that offend, embarrass or insult someone. This type of harassment can create a “poisoned work environment” where employees do not feel safe or comfortable, or feel humiliated or demeaned.

Harassment does not include legitimate managerial activities, such as counseling, performance appraisals and discipline.

## **WORKPLACE VIOLENCE**

Suncor is committed to providing its employees with a safe work environment. Suncor will not tolerate any acts of violence or threatening behaviours and will take all reasonable and practical measures to prevent violence and protect employees from acts and threats of violence. Appropriate remedial, disciplinary, and/or legal action will be taken according to the circumstances.

## **DEFINITION**

For the purpose of this PG&S, violence includes, but is not limited to:

- Physical acts, e.g., hitting, shoving, pushing, kicking, sexual assault;
- Any threat, behaviour or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property;
- Disruptive behaviour that is not appropriate to the work environment, e.g. yelling or swearing.

Other examples include threatening or intimidating other Suncor Personnel, following someone home from work, possession of weapons, ammunition, explosives (except such items used in the course of employment), any physical assault, or any threat or attempt to initiate or participate in violence. It also encompasses vandalism or malicious acts against the personal property of any person.

## **PREVENTION**

If a manager requires assistance in completing a violence risk assessment or wishes to have harassment workshops conducted as a preventative measure, he or she can contact Corporate Security, the appropriate Human Resources Director, EH&S director or an appointed harassment investigator.

## **PROCEDURE**

Employees and others working at or with Suncor may choose to resolve harassment issues informally or formally. The procedures for each method are outlined below. Please note, employees involved either directly or indirectly in a harassment investigation may wish to utilize Suncor’s Employee and Family Assistance Programs for counselling.

## **Informal Resolution**

### Direct Approach

While harassment has no place in worker relations, it may well be unintentional. Silence can be, and often is, interpreted as acceptance. Therefore, sometimes the best way of dealing with harassment may be to inform the harasser that the particular behaviour is unwelcome, and to ask that it stop. Often, a person may not be aware that his or her behaviour is bothersome, and will change the behaviour once they realize this.

### Informal Intervention

It may be that communicating directly with the person is not enough, or that an employee feels unable to deal with him or her directly. In that case, employees can speak to their manager, another manager, or a Human Resource representative. Employees may ask the manager to help them write a letter, or to speak to the harasser on their behalf. Or, employees may just want the manager to be present to offer support when they approach the person who has offended them.

If these attempts at informal resolution fail, employees and others working at or with Suncor may still file a formal complaint. These informal procedures are optional, and depending on the situation, the individual may want to file a formal complaint immediately.

### Formal Resolution

If the procedures described above are not appropriate or the behaviour continues, employees should take their concerns to their manager to file a formal complaint. If employees cannot discuss the issue with their manager, or they are dissatisfied with the results, they should consult with their next highest level of manager or a Human Resources representative. All harassment claims must be referred to the Human Resources director. The Human Resources director will assign a qualified investigator, who is independent from the parties and seen as neutral. Once an investigator has been assigned the following steps will be completed:

- Step 1: Investigation - The investigator will collect information from the parties involved. Claimants should be prepared to be specific, and it is recommended that a record of specific incidents including dates, times, places, names (including witnesses) and other details are kept and presented along with the claim. The investigation will include written statements outlining names, dates, times of the offence(s), the nature of the harassment, any witnesses and the form of correction or redress sought through the complaint. The investigator will, with suitable sensitivity and the protection of the parties in mind, conduct individual interviews with all involved parties, and document all discussions. All parties will keep confidential any information discussed.
- Step 2: Legal Review - The investigator will compile a report. It will be reviewed by the Human Resources director and the Legal Affairs department, who will then decide on the appropriate next steps.
- Step 3: Resolution - Once a decision has been reached it will be communicated to the responsible manager and the parties involved within **14 days** of the complaint. If the time has to be extended for any reason, investigators will consult the claimant.

If no conclusive evidence is found to substantiate the claim, the claimant and the accused will be so informed. Those involved will also be informed that the documentation on the incident will be retained by

the Human Resources Department on a separate **confidential** file (not on the employee's personnel file), and in the event that there are other claims of a similar nature in the future, the case may be reopened.

Where there is reasonable evidence that harassment has occurred, Suncor will take appropriate disciplinary action against the offending party, which may include reprimand, suspension, reassignment, withholding of promotion or dismissal for cause. The Human Resources director will work with the manager involved and the investigator to determine the appropriate disciplinary action. The aggrieved employee will be afforded protection from retaliation.

Allegations of harassment are taken very seriously by the Company and its management, and as such, the investigations are very thorough. Should a deliberately false claim be made against an individual, then the person making the false claim will be subject to disciplinary action.

### **GOVERNMENTAL AGENCIES**

Employees are strongly encouraged to follow the guidelines under "Procedure" in this PG&S to report any incidents. Employees are also entitled to file a complaint with their relevant governmental agency responsible for human rights violations. Employees who are considering such action are encouraged to seek guidance on a confidential basis from Human Resources or the Legal Affairs department. Alternatively, employees can contact their relevant governmental agency to establish the applicable limitation period and grounds and to obtain instructions for filing a complaint.

### **EXCEPTIONS**

None

### **REFERENCES TO RELATED DOCUMENTS**

*Health, Safety and Loss Control*