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TITLE: <u>HARASSMENT</u>		

THIS POLICY IS COMPULSORY

Only the versions listed below are considered as OFFICIAL references:

- An original version contained in the Human Resources Policy Manual of the Human Resources Department at the Uni-Select Inc. head office.
- An amended printed version as issued from time to time.


This policy is an integral part of the Uni-Select Inc. employment contract and strict compliance with it is therefore mandatory.

1. **PURPOSE**

All staff members of Uni-Select Inc. are entitled to work in an environment that is free of any form of harassment. Thus, if an employee is subjected to harassment, it is imperative that the situation be dealt with effectively and in complete confidentiality so that the employee may once again benefit from an appropriate work atmosphere.

Any employee who commits harassment in carrying out his duties shall be subject to disciplinary action up to and including dismissal.

The definition of harassment for the purpose of this policy is provided in paragraphs 2.2.2 and in the following.

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2. SCOPE

This POLICY applies to all staff members, managers, administrators, and associates of Uni-Select Inc. in Canada.

It covers relations between a line supervisor and an employee, relations between employees, and employees who in the course of their duties or work might be subjected to harassment by individuals from outside the Company (e.g.: members, suppliers, clients, consultants, business associates, visitors, drivers, subcontractors, etc...).

In the case of harassment committed by an individual from outside the Company, said individual shall be required to leave the premises immediately and banned from returning to the installations of Uni-Select Inc.; moreover, any agreement with the Company could be subject to revocation or termination and the individual could be the object of legal action by the Company.


2.1 BASIC PRINCIPLES:

Uni-Select Inc. is committed to ensuring that all of its employees may have the benefit of a work environment in which priority is given to the dignity as well as the physical and psychological integrity of each individual and that this work environment consists of a workplace free of harassment in any form.

Uni-Select Inc. therefore takes the necessary measures to prevent and counter harassment of any kind, including sexual and psychological harassment.

Uni-Select Inc. deals seriously and promptly with any behaviour deemed to be inappropriate and offensive which is brought to the attention of its managers.

Uni-Select Inc. will contribute to the awareness-raising, instruction, and training of its employees to prevent situations of violence and harassment in the workplace.

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2.2 DEFINITION:

2.2.1 Any person who witnesses or is subjected to an act of harassment should, as soon as possible, follow the course of action for dealing with harassment described in items 2.3 and following.


2.2.2 **Harassment is defined** as, but is not limited to, improper conduct which would be unwelcome to a reasonable person (based on an objective standard) placed in the same circumstances as the complainant, and manifests itself, among other things, by:

words,
actions, or recurrent acts,
of a hurtful or abusive nature,

directed towards a person or group of people on the basis of characteristics such as race, colour, sex, pregnancy, sexual orientation, marital status, age, religion, political beliefs, language, social status, disability, or the use of a means of compensating for such disability.

In general, a person who commits **harassment** makes use, among other things, of:

- insinuations,
- insults,
- jokes,
- crude comments and language,
- attitudes,
- deliberate silences and/or snubs,
- gestures and/or touching which are injurious to the dignity or to the physical or psychological integrity of a person,
- physical and/or verbal threats,
- retaliation,
- intimidation or hostile behaviour,
- denial of a job, promotion, or transfer, dismissal, layoff, or any other action for the purpose of harassment or to obtain favours,
- the publication, distribution, or creation of graphic material of a degrading nature and/or which is injurious to the dignity or to the physical or psychological integrity of a person,
- any other action that a reasonable person would find humiliating or offensive.


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2.2.3 **Sexual harassment**, in particular, may take the form of improper conduct with a sexual connotation that would be unwelcome to a reasonable person (based on an objective standard) placed in the same circumstances as the complainant, including, but not limited to, the following:

- insinuations,
- jokes,
- insults,
- crude comments and language,
- attitudes,
- touching and/or gestures of a sexual nature which are injurious to the dignity or to the physical or psychological integrity of a person;
- deliberate, unsolicited, or persistent requests for sexual favours,
- threats, retaliation, intimidation,
- abuse of authority in order to obtain sexual favours,
- denial of a job, promotion, or transfer, dismissal, layoff, or other actions in connection with a refusal to grant sexual favours;
- any other action of a sexual nature that a reasonable person would find offensive.

2.2.4 **Psychological harassment**, in particular, may take the form of improper conduct with an offensive and unreasonable connotation which would be unwelcome to a reasonable person (based on an objective standard) placed in the same circumstances as the complainant, including, but not limited to, the following:

- insinuations,
- jokes,
- insults, shouting, screaming, swearing,
- comments, crude and abusive language, offensive literature,
- gestures of an offensive nature which are injurious to the dignity or to the physical or psychological integrity of a person,
- deliberately unreasonable, unsolicited, or persistent requests,
- threats, retaliation, intimidation,
- abuse of authority accompanied by abusive and hurtful behaviours,
- deliberate silences and/or snubs,
- discrimination involving treatment inconsistent with the treatment accorded to all employees of a department,
- criticizing, slandering, or ridiculing an employee or colleague,
- denial of a job, promotion, or transfer, dismissal, layoff, or other related actions,
- any other action of an offensive nature that a reasonable person would find humiliating.


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2.3 COURSE OF ACTION FOR DEALING WITH HARASSMENT:

- 2.3.1 Any person who witnesses or is subjected to harassment must follow the procedure set out below.
- 2.3.2 If an employee does not lodge an official complaint and if a Uni-Select Inc. manager witnesses a situation of harassment or has reasonable grounds to suspect that one exists, he is responsible, in his capacity as a representative of the employer, to take action promptly, effectively, and in good faith by addressing the situation with the responders identified below, and he must not allow any potential harassment situation to persist.
- 2.3.3 If the circumstances are such that this is too difficult, the person who is being subjected to harassment should consult with the responders mentioned below as soon as possible and seek their assistance, in order to prevent the situation from deteriorating.

2.4 COMPLAINT HANDLING MECHANISM:

- 2.4.1. A person who feels that he or she is being harassed should indicate to the person committing the harassment that *this behaviour is offensive and ask that the person stop immediately*. If the behaviour does not come to an end, this person must lodge a complaint in accordance with the following mechanisms.
- 2.4.2 First, the person refers the matter, *under seal of confidentiality*, to his or her immediate supervisor and/or to a representative of the Human Resources Department in order to *obtain immediate assistance*.
- 2.4.3 Should a complaint be lodged against a member of the Human Resources Department, it must be referred directly to the office of the President of Uni-Select Inc., who will be responsible for conducting the inquiry following the steps set out below.
- 2.4.4 Should a complaint be lodged against the President of Uni-Select Inc., it must be referred directly to the Chairman of the Board of Uni-Select Inc., who will be responsible for conducting the inquiry following the steps set out below.

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2.4.5 The Vice-President, Human Resources or such person as he specifically delegates to handle this matter will be responsible for conducting an appropriate, impartial, fair, and credible **inquiry** in order to assess the merits of the complaint while ensuring that the parties to the dispute and the witnesses are given the opportunity to present their version of the matter and at the same time respecting the dignity of the parties involved.


2.4.6 The inquiry must begin as soon as possible. The person responsible for the inquiry must be able to provide the accused individual with specific and detailed information on the nature of the objectionable conduct with which he or she is charged, along with the dates in question and the names of the witnesses, where applicable. All reasonable efforts shall be made to ensure confidentiality, depending on the extenuating circumstances pertaining to the matter.

- During the **course of the inquiry**, the persons involved must not discuss the matter and the related incidents with other employees.
- In **highly sensitive cases**, the Company reserves the right to call upon a third party to conduct the inquiry.

2.4.7 After gathering the relevant information needed to conduct a proper inquiry, the Vice-President, Human Resources or his delegate shall render his decision on the merits of the complaint. If the complaint is well-founded, the report shall include recommendations for remedial measures in order to ensure that the complaint is dealt with in a reasonable and prompt manner and in accordance with prevailing legislation.

2.4.8 The following factors shall be taken into consideration in analyzing the matter in dispute (these factors are not necessarily listed in order of importance):

- Number of years of service
- Discipline or administrative record at the time of the incident
- Employee's job performance and reporting level
- Hierarchical relationship between the persons involved
- Testimony of the persons involved
- Cooperation by the persons involved during the course of the inquiry
- Degree of premeditation of the incident
- Lack of remorse or apology
- Number of victims affected
- Offensiveness and impact of the incident
- Recurrent nature of the action
- Impact of the harassment on the victim or victims


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- Seriousness of the actions

The offensive nature of the actions or conduct and their recurrence are not the only criteria that could result in disciplinary action, up to and including dismissal. A serious one-time event, the intentions of the accused individual, along with his or her hierarchical level, and any other aggravating factor will be taken into consideration in dealing with the matter.

2.5 GENERAL PROVISIONS:

- 2.5.1 Uni-Select Inc. will not tolerate repeat offences, prejudice, retaliation, or intimidation against the complainant employee by the person responsible for the harassment. Any such behaviour shall be subject to severe disciplinary action up to and including dismissal.
- 2.5.2 An accusation of harassment must not be taken lightly nor made maliciously. It is clear that if harassment constitutes unacceptable behaviour, the same applies to accusations of a fraudulent and dishonest nature. Anyone responsible for such a complaint could also be subject to severe disciplinary action up to and including dismissal.
- 2.5.3 Uni-Select Inc. reserves the right to retain the documents related to the case for as long as the said dispute shall continue or for as long as it is not resolved under the terms and within the time limits permitted under the prevailing legislation.
- 2.5.4 It must be understood that this policy is not intended to discourage good social relations in the workplace, camaraderie, civility, and respectful behaviour in a healthy, fair, and reasonable work context. Its purpose is to identify and correct undesirable behaviours prejudicial to the dignity and to the physical or psychological integrity of its employees.
- 2.5.5 The managers of the Company as well as the administrators of Uni-Select Inc. are required to act diligently in terms of both their behaviour and vigilance to respect the spirit and letter of said policy.

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Declaration and Confirmation of Receipt of Document

1. I declare that I have read and understood the content of policy RH-GEN-02 ("Harassment") of Uni-Select and that I have signed this form of my own accord. I have also received a copy of said policy.

2. **The signed original** of the "Declaration" (page 8) must be sent to the Human Resources Department at head office and placed in the employee's file. A **copy** of the signed form shall be provided to the employee.

Signed on the _____ day of _____ 200__ at

Name and title of signatory (please print): _____

Signature: _____

Division and Department: _____

Immediate supervisor: _____

ORIGINAL RETURNED TO: Human Resources Department
Copy to employee