

# ANTI-HARASSMENT POLICY

## Company Commitment

At Solar Group Inc. ("**Solar**"), we are committed to providing a safe and respectful work environment for all staff and customers. No one, whether a manager, an employee, a contractor, or a member of the public, has to put up with harassment at Solar for any reason, at any time and no one has the right to harass anyone else, at work or in any situation related to employment. This policy is one step toward ensuring that our workplace is a comfortable place for all of us.

## Harassment is against the Law

The Ontario Human Rights Code prohibits harassment on the basis of citizenship, race, colour, ancestry, nationality or place of origin, ethnic background, religion, age, sex, gender identity, gender expression, sexual orientation, marital and family status, source of income, political belief, physical or mental disability or record of offence. The Criminal Code prohibits physical and sexual assault. You have a right to live and work without being harassed, and if you are harassed, you can do something about it. This policy tells you what to do if you experience harassment at work, or if you, as a manager or an employee, become aware of a harassing situation.

## What is Workplace Harassment?

Workplace harassment is any course of vexatious comment or conduct against a worker in the workplace that is known or ought reasonably to be known to be unwelcome. Workplace harassment includes, but is not limited to, any behaviour that degrades, demeans, humiliates, or embarrasses a person and includes actions (eg. touching, pushing), comments (eg. jokes, name-calling) or displays (eg. posters, cartoons).

Workplace harassment can take place in the workplace itself, or outside or the workplace in a situation that is in some way connected to work. For example, during delivery trips, off-site meetings, business trips and during communications between workers. Harassment will not be tolerated in any work-related place or event.

Workplace harassment includes workplace sexual harassment. Workplace sexual harassment is any course of vexatious comment or conduct against a worker in the 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 sexual solicitation or advances 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 of workplace sexual harassment include, but are not limited to, questions and discussions about a persons' sexual life; persisting in asking for a date after having been refused; and/or writing sexually suggestive letters or notes.

### **What isn't Workplace Harassment?**

Consensual banter or romantic relationships, where the people involved consent to what is happening, are not workplace harassment.

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. For example, appropriate performance reviews, counselling, or discipline by a supervisor or manager do not constitute workplace harassment.

### **Employees' Rights and Responsibilities**

All employees have the responsibility to treat each other with respect, and to speak up if they or someone else is being harassed. All employees have a responsibility to report workplace harassment to the appropriate person.

Employees also have a responsibility to cooperate in the investigation of a workplace harassment complaint. Anyone who gives evidence in an investigation, or who is otherwise involved in the process, must keep this information confidential, except as is necessary to deal effectively with the complaint.

### **Employers' and Managers' Responsibilities**

Solar and its managers/supervisors have full responsibility for fostering a safe working environment, free of harassment. All management at Solar has the responsibility to stop harassment. If a manager/supervisor becomes aware of harassment in his or her work area, or elsewhere in the company, he or she must do everything possible to stop it, whether or not a complaint has been made.

It is the responsibility of all directors, managers, and any person within the company supervising one or more employees to take immediate and appropriate action to report or deal with incidents of workplace harassment of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally.

Solar Group Inc seeks to provide a safe, healthy and rewarding work environment for its employees. **Harassment will not be tolerated within this company!** If you feel you are being harassed, contact us. We want to hear from you.

**Please note:** Any staff member or worker may also file a complaint with the Ontario Human Rights Commission within six months of the occurrence of alleged discrimination or harassment.

## **Procedures for Reporting and Investigating Incidents of Harassment**

1. If you are being harassed, the first thing to do, if you are comfortable doing so, is tell the person harassing you to stop. You can do this in person or in writing.
2. Report the incident of harassment to your supervisor or operations manager. Alternatively, if you are uncomfortable reporting the incident to your supervisor or operations manager, call 416-269-0926 and speak with Brett Sequeira.
3. Solar will promptly identify an impartial individual to investigate the complaint of harassment. The investigation will include an interview with the complainant, the alleged harasser and any witnesses identified by either party.
4. The complainant and alleged harasser will be informed in writing of the results of the investigation and any corrective action that has been taken or that will be taken as a result of the investigation.

## **How harassment complaints will be dealt with**

If the results of an investigation reveal that a complaint of harassment is substantiated and harassing behavior has taken place, there are a number of corrective actions that Solar may take and these actions may vary depending on the severity of the harassment. These actions include, but are not limited to, the following:

1. Where appropriate, setting up a meeting with the complainant, the harasser and a supervisor or arranging for mediation (a process by which a neutral third party helps the people involved) to reach a solution acceptable to the both parties;
2. Providing the complainant with a remedy where the harassment resulted in the complainant suffering a loss of some kind, having unfavourable reviews placed in his or her personnel file or being denied a benefit or advancement of some kind;
3. Requiring the harasser to issue an oral or written apology to the complainant;
4. Disciplining the harasser. The type of discipline will depend on the severity of the harassment. The harasser may receive a written reprimand, a suspension with pay, a suspension without pay, or may be terminated for just cause;
5. Transferring the harasser to another work location if it is not reasonable for the complainant and the harasser to continue working together, but termination of employment for cause is not appropriate; and/or
6. Requiring the harasser to attend anti-harassment and/or sensitivity training.

When the investigation reveals harassment occurred, the incident and the discipline which is imposed on the harasser will be recorded in the harasser's file.

If the results of the investigation are that the complaint of harassment is not substantiated, there will be no documentation concerning the complaint placed in the file of the alleged harasser. No record of the complaint, investigation or decision will go in the employee's personnel file either, if the complaint was made in good faith. If the investigation reveals that a worker intentionally reported a frivolous harassment complaint or brought a harassment complaint for an improper purpose, that worker may be disciplined for such misconduct, up to and including termination for cause.

### **Confidentiality**

Solar will not disclose any information obtained about an incident or complaint of harassment, including identifying information about any individuals involved, unless such disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law. Managers/supervisors and/or investigators involved in a complaint are reminded to keep all information confidential, except in the above circumstances.

### **Retaliation**

Anyone who retaliates in any way against a person who has complained of harassment, given evidence in a harassment investigation, or been found guilty of harassment, will themselves be considered to have committed harassment and penalised accordingly. The possible penalties are the same as those assessed against harassers, set out above.

### **Review**

Solar Group Inc will review this policy and program as necessary and at least annually and make any necessary amendments. If you have any concerns with this policy, please bring them to the attention of management.

### **Ontario Human Rights Commission**

If you feel uncomfortable or threatened, speak to a person in authority about it (a supervisor, the owner of the store, etc.). You can choose to contact the Human Rights Tribunal of Ontario to file an application. Where harassing behaviour makes you feel like you're in danger or leads to violence, you should call the police. You may also contact the Assaulted Women's Helpline, a 24-hour crisis line, at 1-866-863-0511, TTY Toll Free 1-866-863-7868, or visit [www.awhl.org](http://www.awhl.org). for more information.