

TITLE Policy Against Harassment and Other Types of Misconduct	APPROVING BODY Board of Directors
ISSUING BUSINESS UNIT EVP, Legal Affairs and Secretariat	DATE 2021-04-09

RELATED POLICIES AND DIRECTIVES

- Code of Ethics and Professional Conduct for Officers and Employees
- Act respecting labour standards
- Charter of human rights and freedoms

OBJECTIVES

- Maintain the highest standards of professional conduct and respect in the workplace
- Define what constitutes harassment and misconduct
- Set out the manner in which CDPQ will deal with any cases that arise

Table of contents

1. Background	2
1.1. Context.....	2
1.2. Scope.....	2
2. Guiding Principles.....	2
3. Conduct Prohibited by the Policy	2
3.1. Discrimination	2
3.2. Harassment.....	2
3.6. Workplace Violence	3
3.7. Misconduct.....	3
4. Roles and Responsibilities.....	5
5. Responsibility of Persons in Authority and of CDPQ.....	5
6. Steps	6
6.1. First Step: Informal Approach.....	6
6.2. Second Step: Reporting to a Person in Authority.....	6
6.3. Conciliation	6
6.4. Reporting by Means of the Ethics Line.....	6
6.5. Third Step: The Complaint.....	6
6.6. Fourth Step: Admissibility Analysis.....	7
6.7. Fifth Step: Investigation	7
7. Consequences of a Breach of the Policy.....	7
8. Confidentiality and Non-Reprisal	7
9. Support	8
10. Review.....	8
APPENDIX I.....	9
APPENDIX II.....	11

1. Background

1.1. Context

Caisse de dépôt et placement du Québec (“**CDPQ**”) strives to offer a pleasant and inclusive workplace environment in which employees can reach their full potential. Our commitment to providing and maintaining a healthy and respectful workplace free of harassment and other forms of misconduct is a priority and is fundamental to achieving that goal.

1.2. Scope

This *Policy Against Harassment and Other Types of Misconduct* (the “Policy”) is intended to protect CDPQ’s employees, managers, directors, interns and students, as well as any consultant or other person with a contractual relationship with CDPQ.

The Policy governs relations with persons outside the organization (business partners, consultants, suppliers, visitors, clients and others) that we encounter in the course of our duties, as well as relations between CDPQ employees, managers, directors, interns and students, not only in the workplace but outside it, during or outside normal working hours, when such relations stem from activities or training in connection with employment or with CDPQ, or during business travel, events or corporate parties.

Without limiting the generality of the foregoing, the Policy also extends to and applies to language, actions and behaviours occurring in various contexts including remote work, videoconferences, on social networks, on the Internet and on any other type of digital channel.

The term “employee” includes, when the meaning of the text so requires, any other person mentioned above to whom this Policy applies, i.e., any manager, director, intern, student or consultant, as well as any other person with a contractual relationship to CDPQ.

2. Guiding Principles

Every employee is entitled to a workplace free of harassment and other forms of misconduct, and CDPQ undertakes to use all reasonable measures necessary to ensure that its employees’ rights in this regard are respected. CDPQ will not tolerate, and will put an end to, any situation of harassment or other form of misconduct that is brought to its attention.

3. Conduct Prohibited by the Policy

3.1. Discrimination

Discrimination consists in treating a person or a group of persons differently, i.e., differentiating, excluding or preferring them on the basis of a ground for discrimination that is prohibited by law.

The grounds for discrimination prohibited by law include race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, ethnic or national origin, social condition, a handicap and the use of any means to palliate a handicap.

3.2. Harassment

All forms of harassment (psychological harassment, sexual harassment, discriminatory harassment) are prohibited.

When interacting socially with others, we must be professional and exercise the restraint expected in working relationships with our colleagues and those outside CDPQ whom we encounter in the course of our duties.

3.3. Psychological Harassment

Psychological harassment means vexatious (hurtful, humiliating or abusive) comments, behaviours, attitudes, actions or gestures that:

- are repetitive;
- are hostile or unwanted;
- affect the dignity or physical or psychological integrity of the person; and
- create a harmful work environment.

The psychological harassment does not have to target an individual directly to constitute harassment. Behaviour that has the effect of ridiculing or belittling a group can result in a harmful work environment and may therefore be a form of harassment.

Moreover, although repetitive behaviour is normally a criterion, a single serious incident may also be considered harassment if it affects the dignity or physical or psychological integrity of the person in question and has a lasting harmful effect on that person.

This Policy does not restrict the authority of CDPQ's managers and executives in their normal exercise of their management right, including assigning and distributing tasks, managing work performance and absenteeism, and everyday management of discipline.

Situations arising out of labour conflicts and stressful work situations or those involving difficult work pressures should not be confused with harassment.

Psychological harassment includes sexual harassment and discriminatory harassment.

3.4. Sexual Harassment

Sexual harassment is a form of psychological harassment that manifests itself through comments, behaviours, attitudes, actions or gestures of a sexual nature.

Sexual harassment also includes 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 an employee, and that person knows or ought reasonably to know that such behaviour is unwelcome.

Likewise, reprisals or threats of reprisals in reaction to a refusal of advances, solicitations or requests shall not be tolerated.

3.5. Discriminatory Harassment

Discriminatory harassment is a form of psychological harassment that corresponds to workplace harassment based on any of the prohibited grounds for discrimination explained in Section 3.1.

3.6. Workplace Violence

Workplace violence means the exercise of physical force by a person against an employee that causes or could cause physical injury to the employee.

It includes, among other things:

- Any attempt to exercise physical force against an employee that could cause them physical injury;
- Any statement or behaviour that any employee may reasonably interpret as a threat to exercise physical force against them that could cause physical injury.

3.7. Misconduct

Misconduct means any action, whether intentional or unintentional, repetitive or isolated, that deviates from the standard expected of an employee, manager, director, intern or student at CDPQ and that affects or is likely to affect the workplace atmosphere or to harm or damage CDPQ's interests, image or reputation.

Misconduct may include, but is not limited to, any form of discrimination, harassment (psychological or sexual) or violence as more fully defined in this Policy, or any other inappropriate behaviour.

For example, misconduct may manifest itself as, among other things, offensive or inappropriate behaviour in the form of jokes, comments, gestures, written messages or online postings.

Examples of Conduct Prohibited by this Policy

- Intentionally or systematically **isolating** an employee (unless this is a good-faith requirement of the position);
- **Ignoring** an employee and acting as though they did not exist, or not speaking to them anymore;
- **Discrediting** an employee or their work during a videoconference;
- Making **offensive** jokes, remarks, comments or gestures, or asking questions, **of a sexual nature**;
- **Treating someone differently** on the basis of gender expression, sexual orientation, pregnancy, language, political convictions or race;
- Sending **derogatory, vulgar, sexually explicit or otherwise offensive** material, such as a photo of genitalia, via e-mail, text messaging or an application (e.g., Snapchat, Instagram, Facebook Messenger) ("**sexting**");
- Discussing one's **sex life** with a colleague or asking them questions about their sex life;
- Repeatedly making **advances or solicitations of a sexual nature** when they have been turned down;
- Making **offensive jokes, remarks or comments**, including imitating someone's accent, their way of speaking or a specific trait;
- Spreading **malicious gossip or rumours**, including via digital channels;
- **Impersonating** a colleague online, including on the Internet or any other digital channel;
- **Recording compromising videos** of a colleague **via their webcam** in order to gain an advantage by threatening to reveal the videos (a form of "**sextortion**" known as "**webcam blackmail**");
- Sharing or distributing intimate photos or videos of someone, without their consent, after they have sent them to you (a form of "**sextortion**" known as "**revenge porn**");
- Repetitively pursuing a colleague online and initiating **unwelcome repeated contact** via e-mail, text messaging or an application (e.g., Snapchat, Instagram, Facebook Messenger) ("**cyberstalking**");
- Deliberately trying to provoke controversy by one's behaviour, e.g., by posting inflammatory comments online ("**trolling**");
- Posting or distributing, by mechanical or electronic means, **disparaging** material or images pertaining to race, ethnic origin, colour, language or religion;
- Making **derogatory or degrading references or sarcastic remarks** about a person's physique, dress or any other aspect of their person;
- **Flirting** with someone when they have turned down invitations or advances;
- Casting **suggestive glances** or making other gestures of an obscene or suggestive nature;
- Having unwanted **physical contact** with someone, including touching, kissing, caressing or pinching the person;
- **Striking or attempting to strike** an employee.

Types of Conduct Conducive to Prevention of Situations of Harassment

- Communicating (verbally and in writing) respectfully and courteously;
- Paying attention to one's tone of voice: yelling or screaming are obviously out of the question, but a harsh aggressive tone can easily be misinterpreted as well;
- Carefully choosing one's words in writing, avoiding bold type, uppercase letters and emoticons/emojis that may be offensive;
- Controlling one's emotions, refraining from spontaneous or impulsive reactions that do not consider the impact on the person who is on the receiving end;
- Preferring constructive criticism to promote progress and not hesitating to express one's satisfaction for a job well done;
- Refraining from spreading rumours or discrediting colleagues in small groups, because this can have an impact on the wider workplace.

4. Roles and Responsibilities

Employees have the right to work in an environment free from harassment and all other forms of misconduct.

They are required to comply with the Policy in their interactions with others as part of their employment and must refrain from any behaviour prohibited by this Policy that affects the workplace climate, or is harmful or detrimental to CDPQ's interests, image or reputation.

Every employee is also responsible for facilitating and encouraging a healthy workplace free from harassment or any other form of misconduct. As such, employees are expected to work together in a professional manner and to resolve any issues with respect and courtesy. They must, however, report any issue that they are unable to resolve in a mutually acceptable way.

Anyone claiming to have been subjected to, have witnessed or been informed of situations contravening this Policy, as well as those receiving reports under this Policy, must report such as soon as possible after the events, in accordance with this Policy. In view of the seriousness and importance of the subject matter and the adverse consequences that may result from unfounded or unjustified accusations, it is understood that any report shall be submitted on a good-faith basis.

Employees shall co-operate with any investigation conducted under the Policy. Any person involved in an investigation, or who has provided evidence or information as part of an investigation, shall ensure the confidentiality of the information involved, in accordance with Section 8 of the Policy.

5. Responsibility of Persons in Authority and of CDPQ

Like all employees, Persons in Authority must comply with the requirements stated in Section 4 of the Policy. Persons in Authority are those individuals likely to be informed by employees of a breach of the Policy due to the nature of their functions, i.e. Team Leaders, the Executive Vice-President, Talent and Performance, and Talent Business Partners (individually, a "**Person in Authority**").

In addition to maintaining and promoting standards of conduct that allow CDPQ to institute and maintain a workplace free from all types of harassment and misconduct, Persons in Authority must, among other things, ensure that this Policy is well known and adhered to, such that its objectives are achieved.

When a situation covered by this Policy is brought to their attention, they must contact the Vice-President, Chief Ethics and Compliance Officer (the "**Person in Charge**"), to ensure that it is handled in compliance with the procedure described below. When a situation covered by this Policy is first brought to the attention of the Person in Charge, the Person in Charge may contact a Person in Authority, depending on the

circumstances. Any Person in Authority apprised of a situation of harassment must act in a manner that allows the employer to fulfil its duty to intercede and put a stop to harassment when notified of its occurrence.

6. Steps

CDPQ favours a quick and efficient approach to resolving issues and use of a procedure designed to quickly restore a healthy workplace atmosphere.

6.1. First Step: Informal Approach

If a situation involving conduct covered by this Policy occurs, the person experiencing the situation, if they feel comfortable doing so, should address the person who engaged in such conduct and ask them to stop.

The person may obtain help from the Employee Assistance Program (EAP), which provides immediate and confidential support services to help employees find solutions to a wide range of situations affecting work and health. The person can also obtain assistance from their Talent Business Partner to prepare to speak to the person who engaged in such conduct.

6.2. Second Step: Reporting to a Person in Authority

If, for certain reasons, the person experiencing the situation does not feel comfortable addressing the other person, if it is impossible to raise the issue with that person, or if the situation persists, the aggrieved person may ask, verbally or in writing, a Person in Authority to intercede with the person in question.

If the person experiencing the situation informs a Person in Authority, the latter must inform the Person in Charge and determine together whether to intervene or offer conciliation to the persons involved.

6.3. Conciliation

At this stage, with the agreement of the person experiencing the situation, the Person in Charge may arrange for a conciliation, depending on the circumstances and with the goal of settling the issue, or take any other measure likely to facilitate resolution of the case and prevent any future situation that may amount to harassment or any other form of misconduct. The Person in Charge may call upon external resources to lead the conciliation process in a confidential manner.

6.4. Reporting by Means of the Ethics Line

Any person is invited to report situations that breach the Policy to a Person in Authority or the Person in Charge to facilitate the processing of reports. However, under CDPQ's Code of Ethics and Professional Conduct for Officers and Employees, an employee or other person with reasonable cause to believe that an act may amount to harassment or other misconduct, may report it anonymously via the Ethics Line at:

- 866 723-2377
- [Online system](#)

An anonymous report will be reviewed pursuant to CDPQ's Code of Ethics and Professional Conduct for Officers and Employees. After review of the anonymous report by the appropriate authorities, the latter may request that an investigation be initiated under this Policy if they have sufficient information to do so.

6.5. Third Step: The Complaint

In cases in which the first two steps have failed, or are not feasible, a complaint may be made in writing to the Person in Charge and to ethique@cdpq.com. The form in **Appendix II** may be used for this purpose.

The author of the complaint (the “**Complainant**”) must provide the name of the person against whom the complaint is being filed (the “**Alleged Perpetrator**”), describe the events in question, state the date on which they occurred, and, if applicable, provide the names of any witnesses. Employees may use the appended form provided for this purpose if they wish. The Complainant may avail themselves of assistance from the person of their choice in writing their complaint.

In the event that the Alleged Perpetrator is the Person in Charge, the complaint may be sent to the Chair of the Board of Directors' Governance and Ethics Committee. Upon receipt of a complaint, this person (the "**Substitute Person in Charge**"), will follow this procedure.

In the event that the Alleged Perpetrator is hierarchically superior to the Person in Charge, the Person in Charge may be accompanied by the Chair of the Board of Directors' Governance and Ethics Committee to follow this procedure or, if that person is the subject of the complaint, by the Chair of the Board of Directors. If the Chair of CDPQ's Board is the Alleged Perpetrator, the Person in Charge of the investigation may be accompanied by the Chair of the Board of Directors' Governance and Ethics Committee to follow this procedure.

6.6. Fourth Step: Admissibility Analysis

Upon receipt of the complaint, the Person in Charge or the Substitute Person in Charge must determine whether the allegations, taken as true, might constitute a situation prohibited by the Policy. They must also ensure that the allegations are not a means of substituting for problems related to personality conflicts or valid administrative or disciplinary management. If the allegations, taken as true, were not prohibited by the Policy, the Complainant shall be notified that the complaint is inadmissible.

If the allegations in the complaint are unclear, the Complainant shall be notified of this and given the opportunity to provide the required clarifications.

6.7. Fifth Step: Investigation

Where a complaint is determined to be admissible, CDPQ shall ensure that an investigation is conducted. The purpose of the investigation is to determine whether an incident of harassment and/or other form of misconduct has taken place.

The investigation will be conducted pursuant to the *Procedure for Investigation of Complaints Alleging Harassment or Other Forms of Misconduct* found in **Appendix I** of the Policy, which must be followed for any situation of harassment or other form of misconduct.

7. Consequences of a Breach of the Policy

Depending on the seriousness of the behaviour and the relevant facts and circumstances reviewed at the time of reporting or during the investigation, administrative or disciplinary measures or a combination of the two may be adopted by a committee.

The committee, whose role is to determine the disciplinary sanctions related to Policy violations, is made up of a representative from each of the following teams: Talent and Performance, Legal Affairs, Ethics and Compliance. As needed, an ad hoc member may join the committee.

Those measures may include the following:

- At any time, interim measures (e.g., suspension with or without pay, or transfer);
- Requirement to make a formal apology to the person who experienced the situation;
- Mandatory participation in consultation and training sessions;
- A written notice deposited in the employee file of the person with whom the situation originated;
- Orientation services or awareness seminars and training sessions on appropriate workplace behaviours;
- Suspension, demotion, transfer, withdrawal of duties, dismissal or termination of the contract.

In addition to taking the above measures, in the event of violence at work, CDPQ may ask the persons involved to attend anger management therapy or any other behaviour assessment to determine whether the person can resume their duties safely, and to assess and determine the conditions for a return to work.

8. Confidentiality and Non-Reprisal

All information regarding a situation provided for in this Policy, including all information identifying the individuals involved, will be kept confidential except where disclosure is:

- necessary for the investigation;
- necessary for the application of corrective measures or for protecting employees; or
- otherwise required by law.

During the analysis of a situation covered by this Policy, including during the investigation, the person alleging harassment or other misconduct, the person against whom the report is made, and any witnesses, shall not discuss the situation or the investigation, either among themselves or with other employees or witnesses, unless this is necessary to obtain advice about their rights.

Regardless of the outcome of a good-faith report of harassment or other misconduct, the person who makes the report and any person who provides information will be protected from any form of reprisal. Any threat of reprisal and any form of reprisal against a person who has reported a breach of the Policy will be severely punished.

9. Support

CDPQ's Employee Assistance Program (EAP) is available to provide support to employees experiencing difficult situations. The program is confidential and is administered by an outside firm. It gives access to advice or support from specialized resources. In addition, your immediate superior and Talent Business Partner are also available to help you.

10. Review

This Policy must be reviewed every three years, unless it is necessary to do so earlier.

APPENDIX I

INVESTIGATION PROCEDURE FOR COMPLAINTS INVOLVING HARASSMENT OR OTHER MISCONDUCT

1. Context

This procedure applies to all complaints filed under the Policy Against Harassment and Other Types of Misconduct (the “Policy”).

All complaints will be treated with due diligence and fairly, in compliance with the conditions set out in the Policy.

2. Time limit

In all cases, the complaint must be filed as soon as possible after other measures have failed.

3. Guiding Principles

The Person in Charge or the Substitute Person in Charge (as defined in the Policy) ensures that an investigation is begun as soon as a complaint is filed.

In the absence of a complaint, the Person in Charge or the Substitute Person in Charge may, at any time, initiate the investigation procedure if they have reasonable cause to believe that a situation of harassment or of any form of misconduct exists that should be investigated.

This investigation will be led by the Person in Charge or, depending on the circumstances, an external resource designated by the Person in Charge or by the Substitute Person in Charge (where this person acts as the investigator, hereinafter, the “**Investigator**”).

The Person in Charge or the Substitute Person in Charge ensures that the Complainant is made aware of the investigation procedure and the possibility of stopping the process at any time.

Notwithstanding the foregoing, CDPQ reserves the right to take steps or intercede to put a stop to the situation that prompted the complaint.

4. Investigation Procedure

The Investigator shall:

- Examine the complaint;
- Begin their investigation within a reasonable period of time;
- Confer with the Complainant and the Alleged Perpetrator in person by videoconference or by telephone;
- Obtain the names of any witnesses and confer with them in person, by videoconference or by telephone;
- Obtain written, signed statements from the parties and the witnesses;
- Notify the persons involved that the statements obtained are subject to the applicable legislation respecting the protection of personal information;
- Respect the Alleged Perpetrator’s right to be heard;
- Determine whether the allegations are founded;
- Prepare an investigation report containing a summary of the allegations and the evidence obtained;
- Analyze the evidence and determine whether the complaint is, in whole or in part, founded, unfounded or vexatious.

The Investigator meets the Complainant and the Alleged Perpetrator individually to assess the seriousness and scale of the alleged behaviour. The parties may be accompanied by a person of their choice, so long as this does not unduly delay the investigation.

The Complainant and the Alleged Perpetrator are treated impartially and kept up to date on the progress of the file and of any decision relative to management of the issue.

The Investigator may cease the investigation at any point if the complaint appears, on the face of it, to be abusive. Abuse may result, regardless of the intent of the Complainant, from a complaint that is manifestly unfounded, trivial or vexatious.

CDPQ shall notify the parties of the findings of the investigation as soon as possible after receiving the investigation report.

5. Mediation

If the parties agree, the Person in Charge, the Substitute Person in Charge or the Investigator may summon them at any time to attempt mediation with a view to finding a satisfactory solution that CDPQ would be able to implement. The costs of mediation would then be covered by CDPQ.

If a settlement is reached, the parties sign a document that records that fact without providing further details, unless they agree otherwise. If action by CDPQ is required, it intercedes upon signing of the settlement and agrees to said action. The document remains confidential unless the parties agree otherwise. If a disciplinary measure is imposed, however, the document is deposited in the employee file of the Alleged Perpetrator.

**APPENDIX II
COMPLAINT FORM**

I, the undersigned, _____
[Name of Complainant]

working in _____
[sector]

have reasonable cause to believe that _____
[Name of Alleged Perpetrator]

working in _____
[sector]

harassed me/discriminated against me/perpetrated misconduct or violence against me at

[place(s) where the incident occurred]

or perpetrated misconduct, discrimination, harassment or violence against

[name of person harassed or discriminated against, if different from Complainant]

at _____
[place(s) where the incident occurred]

on or about _____
[date(s) of alleged incident]

in violation of the *Policy Against Harassment and Other Types of Misconduct*.

The details of the incident are as follows (add extra page[s] as necessary):

Signed at _____, on _____

Signature: _____
[Complainant]

Submitted to: _____
[Person to whom complaint is submitted]