

## 4.0 | Policies & Guidelines

\*\*\*ALL POLICIES AND GUIDELINES APPLY TO BOTH UNION AND NON-UNION EMPLOYEES\*\*\*

### 4.1 | Harassment & Violence Prevention

Jack Cooper, in co-operation with our unions, is committed to a healthy, harassment-free and violence-free environment for all our employees. Jack Cooper has developed a company-wide policy intended to:

- prevent and respond to workplace harassment and violence of any type, and
- effectively address any incident that might occur

This policy applies to all persons involved in the operation of the Company and prohibits unlawful harassment by any Employee of the Company, including supervisors and co-workers, as well as customers and vendors both on company property and outside of company property. This policy applies to all incidents of workplace harassment and violence, including sexual harassment and sexual violence, family violence and third party violence.

The Canada Labour Code (the Code) defines harassment and violence at subsection 122(1) as “any action, conduct or comment, including of a sexual nature that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.”

The Company expressly prohibits any form of unlawful Employee harassment on the basis of race, religion, color, national origin, disability, age, sex or any other basis protected by federal, provincial or local law including sexual harassment. This policy also prohibits harassment and violence in retaliation for having brought a complaint of or having opposed harassment and violence and/or for having participated in the complaint process. Any Employee found to have engaged in unlawful harassment and violence is subject to disciplinary action up to and including dismissal. Employees who become aware of possible unlawful harassment and violence should promptly contact the **Human Resources Department or the Confidential Reporting Hotline offered by Lighthouse Services at (855)400-7008.**

Managers and supervisors who know or should have known of unlawful harassment and violence and fail to report such behavior, or fail to take immediate, appropriate, corrective action, will be subject to disciplinary action up to and including termination. One example of unlawful behavior is “sexual harassment.” For purposes of this policy, the term “sexual harassment” means unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal or physical conduct or communication of a sexual nature when:

- ❖ submission to such conduct or communication is made either explicitly or implicitly a term or condition of the individual's employment; or,
- ❖ submission or rejection of such conduct or communication by an individual is used as a basis for employment decisions affecting such individuals; or,
- ❖ such conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creates an intimidating, hostile, or offensive work environment.

Harassment can include, but is not limited to any of the following acts or attempted acts:

- spreading rumors or gossip about an individual or group
- cyber bullying (threatening, spreading rumors or talking negatively about an individual online)
- threats made over the phone, by email, or through other medium to an employee, including from an (ex)partner or family member
- making offensive jokes or remarks
- playing unwanted practical jokes
- socially excluding or isolating someone
- stalking or inappropriately following a person
- tampering with someone's work equipment or personal belongings
- vandalizing or hiding personal belongings or work equipment
- impeding a person's work in any deliberate way
- persistently criticizing, undermining, belittling, demeaning or ridiculing a person
- intruding on a person's privacy
- public ridicule or discipline
- unwelcomed physical contact
- sexual innuendo or insinuation
- unwanted and inappropriate invitations or requests, including of a sexual nature
- displaying offensive posters, cartoons, images or other visuals
- making aggressive, threatening or rude gestures
- misusing authority, including:
  - constantly changing work guidelines
  - restricting information
  - setting impossible deadlines that lead to failure, and/or
  - blocking applications for leave, training or promoting in an arbitrary manner
- engaging in any of the actions, conduct and comments outlined above against a person because of that person's:
  - race
  - national or ethnic origin

- color
- religion
- age
- sex
- sexual orientation
- gender identity or expression
- marital status
- family status
- genetic characteristics
- disability, or
- any of the other prohibited grounds that the Canadian Human Rights Act lists

Harassment is not any of the following:

- consensual workplace banter and interactions (unless it includes hurtful remarks about others, especially if they pertain to any of the prohibited grounds listed above)
- reasonable management action carried out in a fair way, such as day-to-day actions by a supervisor or manager related to:
  - performance
  - absenteeism
  - assignments
  - discipline, and
  - even dismissal (unless it is abusive or discriminatory)
- every workplace disagreement, if a conflict is poorly handled or left unresolved, it can lead to harassment

Violence can include but is not limited to the following acts or attempted acts:

- verbal threats or intimidation
- verbal abuse, including swearing or shouting offensively at a person
- contact of a sexual nature
- kicking, punching, scratching, biting, squeezing, pinching, battering, hitting or wounding a person in any way
- attack with any type of weapon
- spitting at a person

Retaliation against Employees who report harassment and violence or assist in investigating charges of harassment and violence is prohibited. Any Employee found to have engaged in retaliatory action or behavior will be subject to discipline. Any Employee who feels that he or she has been retaliated against for having brought a complaint of or having opposed such harassment and violence and/or for having participated in the complaint process must bring the matter to the attention of the Human Resources Department. To protect the interests of the complainant,

confidentiality will be maintained to the extent practicable and appropriate under the circumstances.

The Company will investigate all allegations of unlawful harassment and violence promptly within 7 days of receiving a complaint. If, as a result of an investigation, the Company determines that a violation of this policy has occurred, prompt and appropriate remedial action including, but not limited to retraining or termination, will be taken to eliminate the policy violation and to insure that it does not recur.

The Company prohibits any form of retaliation against any Employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation. If, however, after investigating any complaint of harassment and violence or unlawful discrimination, the Company determines that the complaint is not bona fide or that an Employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint and/or who gave the false information.

Any Employee who believes that he or she has been unlawfully harassed should immediately inform the offending individual that the behavior is unwelcome and should cease. The incident should be reported to the Harassment and Violence Prevention Unit (HVP), which are your supervisor, terminal manager, or Human Resources Department. Supervisors, terminal managers or any other member of management should report any such incidents to Human Resources Department immediately by emailing [HRcommunications@jackcooper.com](mailto:HRcommunications@jackcooper.com) or by calling the HR hotline 816-983-5084.

The welfare of Employees and the security of our facilities require that every individual be constantly aware of potential security risks. All potentially violent situations will be taken seriously and all threats of violence against Employees and the Company should be reported to the appropriate authorities immediately by calling call 911.

The cooperation of all Employees is essential and all Employees are responsible for observing the following precautions to help maintain a safe and secure workplace:

- ❖ Secure their desk or work area at the end of the day or when called away from their work area for an extended length of time.
- ❖ Keep purses, wallets, or other valuable personal articles out of sight and secure at all times.
- ❖ Report lost keys, security passes, or identification badges to their supervisor immediately.
- ❖ Notify their supervisor immediately of any suspicious or unauthorized persons on or near Company premises.
- ❖ Report threatening communications including mail, telephone calls, electronic communications, faxes, and verbal remarks to their supervisor immediately.
- ❖ Make their supervisor aware immediately of any acts by or against Employees including harassment, intimidation, stalking, or invasion of privacy.

- ❖ Do not provide information of a personal nature about co-workers to anyone. Refer persons making such inquiries to their supervisor, terminal manager or office manager and report the inquiry to one of those individuals. Use good judgment when asked for information about another Employee's work schedule, hours, or travel plans.
- ❖ Unless otherwise prohibited by applicable law, the Company prohibits Employees, customers and visitors from possessing firearms on all Company property, including buildings, driveways, sidewalks, parking lots and other Company grounds.

In addition to these precautions, there are other factors that can contribute to workplace harassment and violence:

- Individual Characteristics – Showing signs of anger or frustration towards other people, having a history of violence, mental health condition or emotional disorder, being under the influence of drugs or alcohol or displaying discriminatory attitudes or behaviors.
- Physical Work Environment – Working alone or in isolated areas, having a mobile workplace, or working in an area with high noise levels.
- Work Activity/Culture – Working with the public, being in an environment that tolerates or promotes discriminatory attitudes or behaviors, working in the same workplace with an (ex) partner who is abusive.
- Job Factors – Mental and or physical demands of the job, can result in additional hazards that may lead to harassment and violence. This can include lack of control over how work is done, excessive workload, unreasonable or tight deadlines leading to high stress, confusing, conflicting or unclear job or roles, complicated reporting structures, lack of job security.
- External Factors – Family violence or domestic violence, such as a family member or (ex) partner: threatening an employee or co-worker, stalking the employee, verbally abusing the employee or co-workers, destroying the employee or organization's property, physically harming the employee or co-workers, using work time to workplace resources to monitor or attempt to control the actions of an (ex) partner.

In addition, Employees are prohibited from carrying any firearm—even if otherwise legal—at any time while on duty for the Company, whether on or off Company property. Firearms are prohibited from all Company equipment, including but not limited to tractor-trailers. This policy applies to all firearms, whether carried on one's person, bags, vehicles, or other containers. However, an exception to this policy will be made for Employees whose provincial or local laws requires the Company to allow Employees to store a lawfully owned firearm in their personal vehicle. Employees may direct any questions about the gun laws of their province to the Legal or Human Resources Departments. In any case, all Employees must practice responsible gun ownership to the fullest extent required by law.

Any threats of violence or to inflict physical harm or damage to property, to impede the normal course of work, or make workers, managers and/or customers fear for their safety is strictly prohibited. The Company has zero-tolerance for violating this policy. Anyone found in violation

of this policy will be terminated, subject only to the Company's discretion, but not obligation, to impose a lesser penalty if mitigating circumstances warrant it. All Employees are responsible for helping to enforce this policy against workplace violence and concealed weapons. Any Employee who becomes aware of any violation of this policy, must immediately notify their manager or Human Resources; so the situation can be promptly investigated and remedied. The Company forbids retaliation against anyone who has reported workplace violence or who has cooperated in the investigation of complaints.