

TITLE <b>Policy Against Harassment, Violence and Other Types of Misconduct</b>	APPROVING BODY Board of Directors
ISSUING BUSINESS UNIT Legal Affairs, Compliance and Secretariat	DATE 2024-12-06

RELATED POLICIES AND DIRECTIVES

- Code of Ethics

OBJECTIVES

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

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# 1. Context

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## 1.1. Background

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

## 1.2. Scope

The goal of the *Policy Against Harassment, Violence and Other Types of Misconduct* (the “**Policy**”) is to protect CDPQ’s personnel, whether full-time, part-time or interns (the “**Employees**”), against the behaviours the Policy prohibits.

The Policy covers all workplace relationships (including those with persons encountered while doing a job), whether inside or outside the workplace, during or outside normal business hours, including during training, business travel, events or work-related social activities, online or in person.

The Policy’s provisions are in addition to those of the relevant local laws and do not preclude any action being taken to apply them.

# 2. Guiding principles

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All Employees are entitled to a workplace that is free of harassment, violence and other types of misconduct. To that end, CDPQ pledges that it will not tolerate and will take reasonable steps to put an end to any situation involving harassment, violence or other type of misconduct that is brought to its attention.

Furthermore, CDPQ takes reasonable steps to protect its Employees who have been exposed to physical or psychological violence in the workplace, including sexual violence, intimate partner violence, and domestic violence that crosses over into the workplace.

Lastly, CDPQ takes steps to identify, monitor, and eliminate or reduce, as the case may be, the risk of psychological harassment and violence, including misconduct in the form of words, actions, or gestures of a sexual nature. For example, CDPQ:

- Makes the Policy available to all of its Employees and updates it from time to time
- Informs Employees of their roles and responsibilities in terms of preventing harassment, violence and other types of misconduct
- Trains Employees on the Policy and the types of harassment and violence, and trains the persons the Policy designates on how to receive and process complaints
- Has a thorough process in place to handle Policy-related complaints

## 3. Conduct prohibited by the Policy

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The Policy prohibits discrimination, harassment, violence and misconduct. See **Appendix III** for a list of concrete examples of behaviour to avoid.

### 3.1. Discrimination

Discrimination involves treating a person or a group of persons differently, i.e. singling out, excluding or showing preference based on one of the grounds for discrimination prohibited by law.

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

### 3.2. Harassment

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

#### 3.2.1. 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 person's dignity or their physical or psychological integrity; and
- Create a harmful work environment.

Psychological harassment does not necessarily have to target only one person for it to be harassment. Behaviour that has the effect of ridiculing or belittling a group can result in a harmful work environment and can, 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 person's dignity or their physical or psychological integrity and has a lasting, harmful effect on them.

#### What psychological harassment is not

Team managers have the right to manage. This right includes assigning or allocating tasks, managing performance at work and absenteeism, and maintaining discipline.

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

#### 3.2.2. Sexual harassment

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

For example, sexual harassment includes a person making advances of a sexual nature toward an Employee when they (i) are in a position to grant or deny a benefit or a promotion to this Employee and when they (ii) know (or should have known) that the advance was unwanted.

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

### **3.2.3. 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 0.

### **3.3. Violence**

Workplace violence includes physical or psychological, intimate partner, domestic or sexual violence.

**Sexual violence** includes any type of violence of a sexual nature or relating to sexual and gender diversity, or any other misconduct, in particular, in the form of gestures, actions, words, unwanted behaviours or attitudes with sexual overtones, whether they occur once or repeatedly.

**Intimate partner and domestic violence** that an Employee encounters at work occurs when the violence experienced within a family or a marriage crosses over into the workplace. For example, it can manifest itself as:

- Threats of violence expressed by phone, email or text
- Frequent interruptions by the violent person at the victim's workplace
- Colleagues or the employer being contacted by the violent person, etc.

### **3.4. Misconduct**

Misconduct means any action that deviates from the standard expected of an Employee and that affects, or is likely to affect, the workplace atmosphere or to harm or damage CDPQ's interests, image or reputation.

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

## **4. Employee roles and responsibilities**

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Employees must adopt behaviours that will help maintain a work environment that is free of harassment, violence, discrimination, and other types of misconduct. This environment must welcome diversity by respecting everyone's dignity.

To that end, Employees must:

- Behave courteously and promote a healthy work environment
- Comply with the Policy, including during work-related social activities, and refrain from any behaviour that is prohibited in the workplace or affects the workplace atmosphere, or harms or damages CDPQ's interests, image or reputation
- Work together in a professional manner and resolve any issues respectfully and courteously
- Report in good faith any behaviour that contravenes the Policy (as a witness or the person who experienced the situation)
- Refrain from encouraging any person to act in breach of the Policy
- Cooperate in any investigation under the Policy and ensure that this process remains confidential

In addition, if an Employee has reason to believe that they may be exposed to intimate partner or domestic violence in the workplace, they must immediately speak with a Person in Charge or a Resource Person (as defined below) to enable CDPQ to take appropriate action to protect them.

### Types of behaviour that help prevent harassment, violence or other types of misconduct

- Being respectful and courteous when communicating verbally or in writing, including during work-related social activities
- Paying attention to one's tone of voice: avoid yelling or screaming, of course, but also a harsh or aggressive tone
- Choosing one's words carefully by avoiding bold type, uppercase letters and emoticons/emojis that may be offensive
- Controlling one's emotions, refraining from spontaneous or impulsive reactions without regard to the impact on the person on the receiving end
- Using constructive criticism to promote progress and express one's satisfaction for a job well done
- Refraining from spreading rumours or discrediting colleagues

## 5. Responsibilities of the Person in Charge and Resource Persons

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Resource persons are likely to be informed by an Employee of a Policy breach due to the nature of their duties ("**Resource Person[s]**"):

- Team leaders
- Vice-president, Talent and Culture
- Executive Vice-President, Talent and Performance
- Talent business partners (HRBP)

Resource Persons must:

- Uphold and promote standards of conduct to create and maintain a workplace free of all types of harassment, violence or misconduct
- Ensure that the Policy is known and respected
- Inform as soon as possible the Vice-President and Chief Ethics and Compliance Officer or their delegate, as the case may be (the "**Person in Charge**"), of the complaint received or a situation that may be prohibited under the Policy
- Take reasonable action in collaboration with the Person in Charge to put an end to the situations that contravene the Policy when brought to their attention

The Person in Charge processes the complaints they receive as the person responsible for the Code of Ethics and the Policy. They determine whether the complaints are admissible and can open an investigation or mandate a relevant resource to do so if appropriate.

## 6. Steps

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

Below are the various steps possible for persons experiencing a situation covered by the Policy:

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## 6.1. Speak directly with the person concerned

If a situation covered by the Policy occurs, the person experiencing the situation, if they feel comfortable doing so, should address the person who engaged in such conduct to put an end to it. The person can get the help of a Resource Person when preparing to speak to the person who engaged in such conduct.

The person can get help from the Employee and Family Assistance Program (EAFP), which provides immediate and confidential support services to assist Employees in finding solutions to a wide range of situations affecting, in particular, work and health.

## 6.2. Speak to a Resource Person

If, for various reasons, the person experiencing the situation is unable to speak with the person concerned, or if the situation persists, the person experiencing the situation can ask a Resource Person to intercede with the person concerned.

Depending on the situation, a conflict resolution process could be launched, for example, facilitation or mediation led by an external or an internal resource.

## 6.3. Report the situation to the Person in Charge

Employees can also report a situation that contravenes the Policy to the [Person in Charge](#) or anonymously at any time using the Ethics Line, [the website](#) or by phone:

- Canada and the United States: 1-866-723-2377
- Australia: 180-031-6572
- Brazil: 0-800-591-208
- France: 0 800 91 1279
- India: 000 800 0401 624
- Mexico: 800-0623902
- United Kingdom: 800-056-7595
- Germany: 0 800 181 5367
- Singapore: 800-852-6231

The person filing a complaint (the “**Complainant**”) must provide sufficient information to enable the Person in Charge to take appropriate action to put an end to the situation in breach of the Policy, for example, by providing:

- The name of the person whose behaviour is prohibited by the Policy and is the subject of the complaint (the “**Alleged Perpetrator**”)
- The name of the person who experienced the behaviour prohibited by the Policy (if another Employee who witnessed the situation reported it)
- A description of the events and when they occurred
- The names of witnesses

The complaint can be made verbally or in writing. The form in **Appendix II** may be used for this purpose.

When the Person in Charge receives a complaint, they must first determine if it is admissible. If it is, they can then investigate the alleged facts. These steps are carried out in accordance with the *Procedure to Investigate Harassment, Violence or Other Types of Misconduct* found in **Appendix I** of the Policy. Conflict resolution measures may also be suggested at any time during the process.

### Specific cases

In the event the Person in Charge is the subject of the complaint, the Executive Vice-President, Legal Affairs, Compliance and Secretariat (the “Alternate Person in Charge”) can file the complaint. If a complaint is received, the Alternate Person in Charge will follow the procedure set out in the Policy.

In the event the Alleged Perpetrator outranks the Person in Charge, the latter may be assisted by the Alternate Person in Charge or, if the Alternate Person in Charge is the subject of the complaint, by the Chair of the Governance and Ethics Committee of the Board of Directors.

## 7. Consequences of a Policy breach

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Depending on the seriousness of the behaviour and the relevant facts and circumstances examined at the time of the complaint or during the investigation, administrative or disciplinary measures, or a combination of the two, may be implemented by the Adjudicating Committee.

This 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. An ad hoc member may join the committee as needed.

These measures may include:

- Interim measures (e.g. suspension with or without pay, or transfer) at any time
- Formal apologies to the person who experienced the situation
- Mandatory participation in counselling and training sessions
- A written notice placed in the employee file of the person who caused the situation
- Orientation services or sensitivity or other 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 persons can safely resume their duties, and to assess and determine the conditions for a return to work.

These measures may also involve team leaders who knowingly allowed the prohibited behaviour to continue, even after they were informed of it.

Lastly, an Employee who files false accusations, or who reports a situation in bad faith with the intent to cause harm, may be punishable by appropriate corrective measures, including disciplinary action.

## 8. Confidentiality and non-reprisal

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All information regarding a situation set out in this Policy, including all information identifying the persons involved, will be kept confidential except where disclosure is:

- Required to handle the situation covered by the Policy;
- Required to take the appropriate actions, including corrective measures or measures to protect the Employees; or
- Otherwise required by law.

During the analysis of a situation covered by this Policy, including during the investigation, the person alleging behaviour prohibited by the Policy, the Alleged Perpetrator and any witnesses must not discuss the situation or the investigation (amongst themselves or with other Employees or witnesses), unless required to obtain professional advice about their rights.

All documentation in connection with addressing a situation covered by the Policy will be retained in accordance with CDPQ's document retention rules, which stipulate they must be kept for a minimum of two years.

The person who filed a complaint under the Policy, as well as any person who participated in the process to handle this kind of complaint, will be protected from any form of reprisal. Any threat or form of reprisal against a person who reported a Policy breach or who participated in any step in accordance with the Policy will be severely punished.

## 9. Support

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CDPQ's Employee and Family Assistance Program (EFAP) is available to provide support to Employees dealing with difficult situations. The program is confidential and is administered by an outside firm. It provides access to counselling or support from specialized resources. Furthermore, the team leaders and the HRBPs are also available to support Employees.

## 10. Governance

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The Board of Directors approves the Policy on the recommendation of the Governance and Ethics Committee. The Executive Committee recommends this policy to the Governance and Ethics Committee.

As part of their annual reporting to the Governance and Ethics Committee, the Vice-President and Chief Ethics and Compliance Officer reports on the complaints received in accordance with the Policy.

## 11. Review

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The Policy is reviewed every three years, except if required sooner.



# **APPENDIX I**

## **PROCEDURE TO INVESTIGATE HARASSMENT, VIOLENCE OR OTHER TYPES OF MISCONDUCT**

### **1. Background**

This procedure applies, when appropriate, to any complaint filed in accordance with the Policy deemed admissible by the Person in Charge.

All complaints will be dealt with promptly and fairly in accordance with the terms set out in the Policy.

### **2. Time limit**

In all cases, the complaint must be filed as soon as possible after all the other measures to resolve the situation have failed. A psychological harassment complaint must be filed within two (2) years of the last harassment incident.

### **3. General principles**

The Person in Charge (or the Alternate Person in Charge, as the case may be) ensures that an investigation is opened as soon as possible after a complaint deemed admissible has been filed.

In the absence of a complaint, the Person in Charge may, at any time, initiate the investigation procedure if they have reasonable cause to believe that a potential situation involving harassment, violence or any type of misconduct exists and must 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 (where this person will act as the investigator, hereinafter, the “Investigator”).

The Person in Charge or the Alternate Person in Charge ensures that the Complainant is made aware of the investigation procedure, the other conflict resolution measures available to them, and the possibility of stopping the process at any time. Notwithstanding the foregoing, CDPQ reserves the right to take action or intercede to put an end to the situation that prompted the complaint.

In addition, CDPQ can, at any time during this process, introduce temporary preventive measures (interim measures), including, but not limited to, administrative suspension, telecommuting, or travel when the circumstances warrant it.

### **4. Investigation procedure**

The first step in the process is to assess admissibility. This is used to determine whether the complaint is admissible in contrast to a frivolous or baseless complaint. At this stage, the Investigator gathers information to better understand the facts and to determine whether, by taking each item put forward as fact, the situation is likely to be a Policy breach.

- When the facts allegedly constitute a Policy breach, an investigation can be opened to determine whether or not there are grounds for the complaint.
- When the allegations taken as fact do not constitute behaviour prohibited by the Policy, the Complainant is informed that their complaint is inadmissible.

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

The second step is the investigation, whose purpose is to determine whether the allegations described in the complaint are founded. At this stage, the Investigator meets with the persons whose testimony the Investigator deems will be helpful to the investigation, such as the Complainant, the Alleged Perpetrator and the witnesses, if applicable. The Investigator then examines all of the evidence gathered to establish whether or not the allegations described in the complaint are founded in order to know if the Policy was breached.

Through these steps, the Investigator must:

- Examine the complaint
- Begin their investigation within a reasonable period of time
- Meet in person, by videoconference or by phone with the parties involved and with any other person whose testimony will help the investigation
- Obtain confidentiality agreements signed by all of the persons participating in or attending an investigation meeting
- Obtain written, signed statements from the parties and the witnesses as needed
- Notify the persons involved that the statements obtained are subject to the applicable legislation respecting the protection of personal information, if applicable
- 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
- Examine the evidence and determine whether the complaint is founded in whole or in part

The Investigator meets individually with the Complainant (or the person who allegedly experienced a situation under the Policy), the Alleged Perpetrator and the witnesses to obtain their versions of the respective facts. The parties and the witnesses can 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 updated on the progress of the case and of any decision relative to the way the issue is being managed.

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

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

## **5. Conflict resolution**

The parties may at any time take steps to attempt to resolve the conflict and find a satisfactory solution that CDPQ will be able to implement.

In the case of mediation, if a settlement is reached, the parties sign a document that states that fact without providing further information, unless they agree otherwise. If CDPQ is required to act, it intercedes when the settlement is signed 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 REPORTING 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/demonstrated improper behaviour or violence against me at

\_\_\_\_\_  
[place(s) where the incident occurred]

**or** demonstrated improper behaviour, discrimination, harassment or violence against

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

at

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[place(s) where the incident occurred]

on or about

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[date(s) of alleged incident]

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



The details are as follows (add one or more pages as necessary):

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Signed at \_\_\_\_\_, on \_\_\_\_\_

Signature: \_\_\_\_\_  
[Complainant]

Submitted to: \_\_\_\_\_  
[Person to whom complaint is submitted]

## APPENDIX III

### Examples of conduct prohibited by the Policy

- **Intimidating** an Employee by repeatedly behaving in an unreasonable manner toward them or creating a risk to their health and safety (e.g. by humiliating, intimidating or threatening them)
- **Isolating** an Employee intentionally or systematically (unless this is truly a requirement of the job)
- **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
- Emailing, text messaging or using an application (e.g. Snapchat, Instagram, Facebook Messenger) to send **derogatory, vulgar, sexually explicit or otherwise offensive material**, such as a photo of genitalia ("**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**, even though they were rejected
- 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 on digital channels
- **Impersonating** a colleague online, including on the Internet or any other digital channel
- **Recording** compromising videos of **a colleague using their webcam** in order to gain an advantage by threatening to reveal the videos ("**webcam blackmail**")
- Sharing or distributing intimate photos or videos of a person without their consent after they sent them to you ("**revenge porn**")
- Repeatedly stalking a colleague online and initiating **unwelcome repeated contact** via email, text messaging or an application (e.g. Snapchat, Instagram, Facebook Messenger) ("**cyberstalking**")
- Deliberately trying to provoke controversy through 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 a person when they have rejected invitations or advances
- Casting **suggestive glances** or making other gestures of an obscene or suggestive nature
- Having unwanted **physical contact** with a person, including touching, kissing, caressing and/or pinching them

- **Striking or attempting to strike** an Employee