



POLICIES & PROCEDURES

WORKPLACE ANTI-VIOLENCE, HARASSMENT AND DISCRIMINATION POLICY

1. PURPOSE AND SCOPE

It is public policy in Canada to recognize the dignity and worth of every person and to provide for equal rights and opportunities free of discrimination.

Rubellite Energy Inc. ("**Rubellite**" or the "**Company**") is committed to providing a safe, productive and healthy work environment for its Employees, based on mutual respect. In pursuit of this goal, Rubellite does not condone or tolerate acts of violence, harassment or discrimination against or by any Rubellite Employee. This Workplace Anti-Violence, Harassment and Discrimination Policy (this "**Policy**") is intended to prohibit physical, verbal, emotional abuse, intimidation or violence in the workplace and promote a positive working environment in which all individuals are treated with respect and dignity. Rubellite as the employer is committed to eliminating or, if that is not reasonably practicable, controlling the hazard of workplace violence, harassment and discrimination. Everyone is obligated to uphold this Policy and to work together to prevent workplace violence, harassment and discrimination. The purpose of this Policy is to provide some examples of behaviour that is considered as harassing, threatening, discriminatory or violent in nature and will not be tolerated at Rubellite, and to also establish processes for resolving complaints and implementing disciplinary action in relation to any such behaviour.

This Policy applies to all directors, officers, employees, consultants, contractors, sub-contractors, suppliers and customers including their employees and agents (collectively, the "**Employees**"). Positions identified in this policy refer to positions held at Perpetual Energy Inc. ("**Perpetual**") in its capacity as Manager per the Management Services and Operating Agreement, to the extent these positions are not held by full time or part time regular employees of Rubellite.

Workplace Violence, Harassment and Discrimination covered by this Policy may occur:

- at the workplace;
- at work related social functions;
- in the course of work assignments outside the workplace;
- at work related conferences or training sessions;
- during work related travel;
- over the telephone;
- through e-mail; and
- through social media.

2. DEFINITIONS

For the purposes of this Policy, the phrases below have the following meanings:

- (a) **"Workplace Violence"** means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence. It includes but is not limited to: the exercise of, or attempt to exercise, physical force by a person against a worker or in a workplace, that causes or could cause physical or psychological injury or harm to the worker; a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker or in a workplace, that causes or could cause physical or psychological injury or harm to the worker; physical acts including any threat, behaviour or action that is interpreted to carry the potential to harm or endanger the safety of others, or results in an act of aggression, or destruction or damage to property (e.g. hitting, shoving, pushing, kicking, sexual assault); and disruptive behaviour that is not appropriate in a work environment (e.g. yelling, swearing).
- (b) **"Harassment and/or Discrimination"** is any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety. It includes:
- (i) conduct, comments, bullying or actions because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation;
 - (ii) verbal acts, such as: unwelcome remarks, slurs, jokes, taunts, or suggestions about a person's body, clothing, race, national or ethnic origin, colour, religion, age, sex, marital status, physical or mental disability, sexual orientation or other personal characteristics; unwelcome sexual remarks, invitations or requests; verbal abuse or threats; patronizing or condescending behaviour; and/or humiliating an Employee in front of a co-worker;
 - (iii) visual, such as displays of sexually explicit, sexist, racist or other offensive or derogatory material, written abuse or threats, leering (suggestive staring) or other offensive gestures; and/or
 - (iv) physical acts such as unwelcome physical contact including but not limited to patting, touching, pinching or hitting; vandalism of personal property; abuse of authority that undermines someone's performance or threatens his or her career; or physical or sexual assault;

but excludes any reasonable conduct of the Company or supervisor relating to the management and direction of workers or a work site that is neither workplace harassment nor discrimination.

The *Alberta Human Rights Act* prohibits Harassment and Discrimination related to race, national or ethnic origin, religious beliefs, colour, gender, gender identity, gender expression, physical or mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of the Employee or of any other person. Harassment and/or Discrimination can occur between co-workers, between a supervisor and an Employee, between people of the opposite sex, or of the same sex, between an Employee and a client, or between an Employee and a job applicant. Harassment and Discrimination can also occur when an individual is in a vulnerable position because he or she is in the minority - for example, the only woman, member of a visible minority, aboriginal person or person with a disability, and is, for example, ostracized by colleagues.

- (c) "**Abuse of authority**" occurs when a person uses authority unreasonably to interfere with an Employee or the Employee's job. It includes humiliation, intimidation, threats, and coercion. It does not include normal managerial activities, such as counselling, performance appraisals, and discipline, as long as such activities are not carried out in a harassing or discriminatory manner.

3. RESPONSIBILITIES

Employee Responsibility

It is expected that all Employees will maintain a safe and respectful work environment by treating others with dignity and respect and refrain from any activities that would be considered to be Workplace Violence, Harassment and/or Discrimination.

If you believe you have experienced Workplace Violence or been harassed or discriminated against, you may:

- confront the offending person personally, or in writing, clearly stating the unwelcome behaviour/action and requesting that it stop immediately;
- discuss the situation with the offending person's supervisor, your supervisor or any other supervisor;
- discuss the situation with the Vice President, Corporate and Engineering Services;
- keep notes and record all unwelcome, harassing or discriminatory behaviour. Write down what has happened, when, where, how often, who else was present. Write down every instance of Harassment and Discrimination.

Any Employee who feels they have experienced Workplace Violence or been harassed and/or discriminated against can and should, in all confidence and without fear of reprisal, personally report the occurrence to:

- his/her supervisor or a manager; or
- the Vice President, Corporate and Engineering Services or any member of the Executive Team; or

- as per the Company's Whistleblower Policy. Employees must cooperate in the investigation of any complaints.

Co-Worker Responsibility:

If you are a co-worker who has witnessed Workplace Violence, Harassment and/or Discrimination in the workplace:

- Inform the person who has been subjected to such behaviour that you have witnessed what you believe to be Workplace Violence, Harassment and/or Discrimination, that you find it unacceptable, and that you wish to support them in reporting it. If that person does not feel that they have experienced Workplace Violence, Harassment and/or Discrimination, then normally the incident should be considered closed unless the incident is considered to be so serious by the co-worker that he or she chooses to report it to management himself or herself.
- Inform the offending person(s) that you have witnessed the act(s) and find it unacceptable.
- Encourage the person subjected to the inappropriate behaviour to report the incident to their Manager, the Vice-President, Corporate and Engineering Services, or any member of the leadership team.

Management and Supervisors Responsibility:

- Management and supervisors have a legal responsibility for creating and maintaining a safe working environment that is free of Workplace Violence, Harassment and Discrimination.
- Managers and supervisors must be sensitive to the climate in the workplace and address potential problems before those problems become serious.
- If a manager or supervisor becomes aware of Workplace Violence, Harassment and/or Discrimination in the workplace and chooses to ignore it, that Manager, supervisor and the Company risk being named as co-respondents in a complaint and may be found liable in legal proceedings brought about by the complainant and/ or local human rights authorities.
- The Company will investigate and take appropriate corrective actions to address all incidents and complaints of Workplace Violence, Harassment and/or Discrimination in a fair, respectful and timely manner and in accordance with this Policy.
- Managers and supervisors are responsible for dealing with situations of Workplace Violence, Harassment and/or Discrimination immediately on becoming aware of them, whether or not there has been a complaint made. Any manager or supervisor who fails to deal with such situations in accordance with this Policy will be subject to disciplinary action, up to and including the termination of employment without notice.

When an Employee has asked their manager or supervisor to deal with a Workplace Violence, Harassment or Discrimination incident, the manager or supervisor shall:

- Support the Employee without prejudice.
- Work with the Employee and document the complained of action(s) and, if deemed desired and appropriate, have the Employee prepare a written complaint.
- Contact their supervisor and/or senior management and provide details of the incident on behalf of the Employee.

FORMAL REPORTING PROCEDURE

If you believe you have experienced Workplace Violence, Harassment and/or Discrimination, Rubellite encourages you to establish a record of the incident by filing a formal written complaint. Please deliver such complaint to the Vice President, Corporate and Engineering Services and include the following information:

- The date and time of each incident you wish to report.
- The name(s) of the person(s) involved in the incident(s).
- The name of any person or persons who witnessed the incident(s).
- A full description of what occurred.
- Any specific concerns regarding privacy considerations.

Once a written complaint has been received, Rubellite will complete a thorough investigation. Workplace Violence, Harassment and Discrimination should not be ignored as silence can, and often is, interpreted as acceptance. No Employee will ever be retaliated against for making a complaint in good faith under this Policy. Furthermore, no Employee who in good faith reports a violation of this Policy shall suffer any harassment, retaliation or adverse employment consequence. Any Employee who retaliates against someone who has reported a violation of this Policy is subject to discipline up to and including termination of employment, without notice. This Policy is intended to encourage and enable Employees to raise serious concerns with Rubellite rather than seeking a resolution outside of Rubellite. As such, we take the principles of maintaining confidentiality and non-retaliation seriously.

An investigation into a complaint will include:

- Informing the accused of the complaint, and, where possible, maintaining the confidentiality of the complainant.
- Interviewing the complainant, any person(s) involved in the incident and any identified witnesses.
- Interviewing any other person(s) who may have knowledge of the incident(s) forming the subject of the complaint.
- Statements from all parties involved will be taken and a decision will be made.

- If necessary, Rubellite may employ outside assistance or request the use of legal counsel.
- Where it is determined that Workplace Violence, Harassment and/or Discrimination has occurred, a written report of the finding(s) and all requisite remedial action will be given to the Employees concerned.

Where it is considered necessary to completely and fairly investigate a complaint, a copy of the complaint, detailing the complainant's allegations, shall be provided to the offender. In addition, and in any event, the offender will be invited to reply in writing to the complainant's allegations and any reply received from the offender will be made known to the complainant before the case proceeds.

At all times, Rubellite will take measures to prevent any unnecessary disclosure of the complaint and to protect the anonymity and confidentiality of the parties.

Even if a complainant decides not to submit a formal written complaint, Senior Management may decide that a formal complaint is required based on the investigation of the incident. In such event, Senior Management will file such document(s) with the person(s) against whom the complaint is laid and conduct an investigation in accordance with this Policy.

If it is determined by the Company that any Employee has committed Workplace Violence, Harassment and/or Discrimination against another Employee, immediate disciplinary action will be taken, up to and including termination of employment for cause.

4. FRAUDULENT OR MALICIOUS COMPLAINTS

This Policy must never be used to bring fraudulent or malicious complaints against Employees. It is important to realize that unfounded, frivolous or fraudulent allegations may cause both the accused person and the Company significant damage. If it is determined by the Company that any Employee has knowingly made false statements regarding an allegation related to Workplace Violence, Harassment and/or Discrimination, immediate disciplinary action will be taken. As with any case of dishonesty, disciplinary action may include immediate termination of employment, up to and including termination for cause.

5. DISCIPLINARY MEASURES

If it is determined by the Company that any Employee has experienced Workplace Violence, Harassment and/or Discrimination by another Employee, immediate disciplinary action will be taken in accordance with the Company's Discipline Policy. Such disciplinary action may involve counselling, a formal warning, or suspension or could result in immediate termination of employment, up to and including termination for cause.

Disciplinary action shall be determined by the Company and will be proportionate to the seriousness of the situation as determined by the Company.

6. RETALIATION

No person will retaliate against a person because that person, whether as a witness, party, or in any other role, participates in good faith in the processes outlined under this Policy. Any such retaliation will be considered and addressed as Workplace Violence, Harassment and/or Discrimination under this Policy.

This Policy is not intended to discourage a worker from exercising the worker's right under any other law, including the *Alberta Human Rights Act*.

7. CONFIDENTIALITY

Rubellite will do everything it can to protect the anonymity and privacy of the individuals involved in a complaint and to ensure that complainants and respondents are treated fairly and respectfully. Rubellite will protect this anonymity and privacy so long as doing so remains consistent with the enforcement of this Policy and adherence to the law.

Rubellite will not disclose the circumstances related to an incident of Workplace Violence or Harassment and/or Discrimination or the names of the complainant, the person alleged to have committed the violence or the harassment and any witnesses, except where necessary to investigate the incident or to take corrective action, to inform the parties involved in the incident of the results of the investigation and any corrective action to be taken to address the incident, to inform workers of a specific or general threat of violence or potential violence, or as required by law. Rubellite will only disclose the minimum amount of personal information required that is necessary to inform workers of a specific or general threat of violence or potential violence.

All records of Workplace Violence, Harassment and/or Discrimination, and all investigations related thereto, are considered confidential and will not be disclosed to anyone except to the extent required by law.

In cases where criminal proceedings are forthcoming, Rubellite will assist police agencies, attorneys, insurance companies, and courts to the fullest extent.

Rubellite shall provide appropriate assistance and support to any Employee who has experienced Workplace Violence, Harassment and/or Discrimination.

8. SPECIAL CIRCUMSTANCES

Should an Employee, consultant or contractor have a legal court order (eg. Restraining order or No-contact order) prohibiting certain conduct or communication by another individual, the Employee is encouraged to notify his or her supervisor, and to supply a copy of that order to the Vice President, Corporate and Engineering Services. This will be required in instances where the Employee feels that the aggressor may attempt to contact that Employee at Rubellite's business premises in direct violation of the court order. Such information shall be kept confidential.

If any Employee or visitor to the Rubellite workplace is seen with a weapon (or, based on reasonable cause, is thought to possess one on his or her person at the time), and makes a verbal threat or assault against an Employee, any Employee who witnesses the action, is required to immediately contact the police,

emergency response services, their immediate supervisor and the Vice President, Corporate and Engineering Services or a member of the Executive Team.

9. TIMELINES

A complaint should be raised at the earliest opportunity.

10. THIRD PARTIES

All consultants, contractors, subcontractors, and suppliers will receive a copy of this Policy and the Company's expectation is that third parties, their employees and agents will also comply with this Policy.

11. POLICY REVIEW

Rubellite will be responsible for reviewing this Workplace Anti-Violence, Harassment and Discrimination Policy annually, or earlier if an incident of Workplace Violence, Harassment and/or Discrimination occurs, and shall make any amendments to this Policy which are deemed necessary by the Company at any time in its sole discretion.

12. CERTIFICATION

All current Employees of Rubellite and Rubellite subsidiaries are required, at the commencement of employment and annually thereafter, to certify their review of, agreement to and compliance with the provisions contained in this Policy, by completing the form of Compliance Certificate contained in Rubellite's Code of Business Conduct. Rubellite officers are further required annually to provide a Compliance Certificate to the Legal Assistant.