

Element Lifestyle Retirement Inc. - Respectful Workplace Policy

Regardless of our differences, all individuals have the right to be treated with dignity and respect. Element Lifestyle Retirement Inc. will endeavor at all times to provide a safe and secure environment that is free from discrimination, bullying and harassment/or actual or threatened violence. These behaviors are not acceptable nor will it be tolerated in the workplace. All employees will be treated in a fair and respectful manner.

Note that discrimination on the basis of certain prohibited grounds (including race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or gender expression, age, or criminal or summary conviction offence unrelated to employment) is prohibited not only under Element's respectful workplace policy but also under the B.C. Human Rights Code.

This policy applies to all employees of Element (regardless of status or position, including temporary workers) in all Element workplaces, including at off-site work assignments, employment related functions, and over telephone or electronic communications.

It applies to interactions between employees, employees and residents, and employees and members of the public including relations to residents, contractors and others whom employees interact with in the course of their employment.

Definitions

"Employee" means all employees of Element Lifestyle Retirement Inc. The use of the term employee will not create an employment relationship where an employment relationship does not already.

"Complainant" means an employee who has made a complaint of bullying, harassment, discrimination or violence under this policy.

"Respondent" means an employee who has been accused of bullying, harassment, discrimination or violence under this policy.

"Bullying and Harassment" means any inappropriate conduct or comment made by a person towards an employee that the person knew or reasonably ought to have known would cause that employee to be humiliated or intimidated, but excludes any reasonable action taken by Element Lifestyle Retirement Inc. or a member of the management team with respect to the direction, control or management of the workplace and the employee, including disciplinary action.

Harassment and bullying may consist of one serious incident or a series of incidents depending on the context. It may be verbal or non-verbal, physical or non-physical, or deliberate or unintentional, and may include, without limitation:

1. spreading of malicious rumors;
2. vandalizing of personal belongings;
3. consistently ignoring and excluding someone or making him or her feel unwelcome; and

4. offensive or inappropriate pictures, graffiti, cartoons, nicknames or e-mails.

“Discrimination” is making a distinction, whether intentional or not based on grounds noted in the B.C. Human Rights Code, which imposes burdens, obligations or disadvantages on an individual or group not imposed upon others.

Discrimination is conduct based on certain prohibited grounds (including race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, or criminal or summary conviction offence unrelated to employment) which:

1. is unwelcome or of such a nature that it would be reasonable to assume that it is unwelcome; and
2. detrimentally affects the work environment or leads to adverse job-related consequences for the target of the discrimination.

Prohibited conduct may consist of one incident or a series of incidents depending on the context. It may be verbal or non-verbal, physical or non-physical, or deliberate or unintentional.

Employees have the right to work in an environment free of discrimination. Acts of discrimination will not be tolerated.

“Workplace violence” is the threatened, attempted or actual exercise of physical force in the workplace by a person against an employee that causes or could reasonably cause physical injury.

“Sexual harassment” is a form of discrimination based on gender. It is defined as any unwelcome conduct, comment, display, action or gesture of a sexual nature that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment.

Examples of sexual harassment include, without limitation:

1. a person in a position of power or authority asking an employee for sexual favours in return for being hired or receiving promotions or other employment benefits;
2. sexual advances with actual or implied employment-related consequences;
3. unwelcome remarks, questions, jokes or innuendo of a sexual nature, including sexist comments or sexual invitations;
4. verbal abuse, intimidation or threats of a sexual nature;
5. leering, staring or making sexual gestures;
6. display of pornographic or other sexual materials, offensive or inappropriate pictures, graffiti, cartoons, sayings or e-mail; and
7. unwanted physical contact such as touching, patting, pinching and hugging.

The definition of sexual harassment is not meant to inhibit interactions or relationships based on mutual consent or normal social contact between employees.

Roles and Responsibilities to deal with Discrimination, Harassment, Bullying and/or Violence

Element Lifestyle Retirement Inc. commits that it will provide a respectful workplace for all employees. There are ways in which you can help to make this happen. All employees have a role to play in ensuring that the workplace is free from discrimination, harassment, bullying and/or violence.

You can make a difference:

There are ways in which you can help to make the workplace a respectful, positive and productive place to be:

- Be a good example. Treat others with courtesy and professionalism and dignity and respect.
- If you witness discrimination, harassment, bullying and/or violence, challenge it and report it. Never, however, put yourself in harm's way.
- If you are a victim, please do not suffer in silence. Voice your concern. If you have experienced or believe you are being subjected to discrimination, harassment, bullying or violence, please make the necessary report.
- Support your co-workers and encourage them to speak up.
- Challenge inappropriate or improper behaviour. Again, never put yourself in harm's way.
- Be inclusive and friendly. We are a team!

Management's Role:

The Company is responsible for providing a respectful workplace – an environment free of discrimination, harassment, bullying and violence. We will make all reasonable efforts to:

1. enforce our commitment to a work environment free of discrimination, harassment, bullying and violence;
2. answer questions or provide clarification with respect to what constitutes inappropriate or improper behaviour; and
3. respond appropriately once an incident is alleged or known to have taken place, regardless of whether we have actually received a formal complaint.

Employee's Role:

All employees must:

1. Comply with all aspects of the Respectful Workplace Policy;
2. Report if they observe or experience bullying, harassment, discrimination or violence;
3. Fully cooperate with investigations under the Respectful Workplace Policy; and
4. Participate in education and training programs aimed at maintaining and promoting a respectful workplace.

Reporting Complaints

If any employee witnesses or is subjected to behaviour which is inappropriate or improper under this policy, without putting himself or herself at risk of harm, he or she should advise the person that his or her behaviour is unwelcome and not acceptable. Tell him or her to stop. Keep a written record of the date and time of the incident, the nature of the behaviour, and the name of any witness who may be present

If the behaviour continues after you speak with the person, report the conduct to management soon as reasonably possible. This report should be made to your direct Supervisor when at all possible. If reporting to the Supervisor is not possible reports should go directly to one of the following executives:

- Conan Graham, Chief Operating Officer
- Michael Diao, Chief Executive Officer
- Don Ho, President

An employee making a report should provide as much information as possible in his or her report – and the information should be as clear, specific, complete and accurate as possible in all of the circumstances. The report should at the very least include the names of all affected persons, including the complainant and respondent(s), the names of any witnesses and where the incident or incidents occurred and when they occurred. As well, and importantly, the report should include a description of the incident or incidents which are alleged to be in the nature of discrimination, harassment, bullying or violence. When at all possible, we ask that you use the form attached as **Appendix X** to the Handbook for your complaint.

It is important that the report provide information which is clear, specific, complete and accurate. It should include particulars of exactly what happened, including who, what, where, when and why. It should state exactly who said what and who did what. For example, instead of using the very general term “verbal abuse”, state the precise words used or describe how the words were uttered. Attach any supporting documents to the report, including, for example, relevant e-mails, handwritten notes, text messages, transcriptions of voice messages, photographs, etc. Also submit any physical evidence, e.g. vandalized property or offensive posters.

A complaint can be difficult to make and highly sensitive in nature. As such, we encourage you to seek the assistance of management when necessary.

All complaints received will be treated seriously and investigated as appropriate.

Investigation Process

When a complaint is received, Element Lifestyle Retirement Inc. will conduct an investigation to determine whether bullying, harassment, discrimination or violence has occurred.

Element will take steps to ensure that investigations are:

- dealt with promptly and diligently, and as thoroughly necessary in the circumstances;
- fair and impartial;
- sensitive to the interests of all parties involved; and
- focused on finding facts and evidence.

In the majority of cases, investigations will be conducted with internal human resources. For some complaints, Element may consult or use the services of a third party investigator.

In most cases, investigations will be conducted within 14 days of receiving the complaint. The complexity of a complaint or other circumstances may result in an investigation taking longer.

While Element will tailor the nature of the investigative process to the particular circumstances of each complaint, the investigation will typically include:

- interviews of the complainant, respondent and any witnesses to the conduct;
- gathering and reviewing any relevant documents, including written statements, notes, emails, text messages and pictures;
- making findings of fact and conclusions;
- communicating the findings and conclusions to the parties involved, as appropriate; and
- determining the appropriate follow up action.

All employees, including the complainant and respondent, are expected to fully cooperate with the investigation process. This may include providing information in an interview, submitting a written statement, and/or disclosing emails or documents. Regardless of the nature of their involvement in the investigation, employees must be honest, candid and forthright.

Privacy and Confidentiality

All participants in the investigation process are expected to maintain confidentiality with respect to the information provided to or by them.

While Element Lifestyle Retirement Inc. will make efforts and take measures to protect your privacy and confidentiality, we cannot guarantee that you will remain anonymous in the complaint and investigation process or the subsequent period of time.

Details of the complaint may need to be shared in the investigation process. In particular, the respondent will be given enough information as necessary in order to be given a fair opportunity to respond to the complaint.

After the Investigation

At the conclusion of an investigation, the complainant and respondent will be advised of the findings and conclusions. The findings may be disclosed to other parties, such as witnesses, as appropriate.

Where bullying, harassment, discrimination or violence has been found, management will determine the appropriate discipline for the respondent and what remedial steps, if any, should be implemented.

Discipline or remedial action may include:

- making a note of the incident on the employee's personnel file
- giving a verbal warning
- giving a written warning
- requiring the employee to attend training or counselling
- transferring or demoting the employee

- suspending of the employee, with or without pay
- termination of the employee's employment

Any corrective action will be taken promptly to ensure that the bullying, harassment, discrimination or violence stops.

Where the complainant has made a complaint in good faith, no documentation whatsoever will be placed in the complainant's personnel file, whether the complaint is substantiated or not.

We take our commitment to having a respectful workplace very seriously. It is not acceptable to use the processes in our Respectful Workplace Policy falsely, frivolously or maliciously. Any employee who in bad faith and/or for improper reasons brings forward a complaint will be subject to discipline up to and including termination of employment.

Retaliation Prohibited

It is not acceptable to retaliate against any member of Element Lifestyle Retirement Inc. personnel because he or she has raised a concern under our respectful workplace policy. Disciplinary action may be taken against a person who engages in retaliatory conduct, up to and including termination of employment.

External Options

Although the Company will strive to resolve any respectful workplace issue using the processes in our respectful workplace policy, if your concern cannot be appropriately addressed by us, you should be aware of the following:

- Concerns about discrimination may be addressed by the B.C. Human Rights Tribunal in some circumstances. The Tribunal has a six-month limitation period for filing complaints.
- Concerns about harassment or bullying may be addressed by WorkSafeBC.

Office Gossip

Office gossip is generally detrimental to a productive and positive, friendly and team-based work environment and will not be tolerated. As stated previously in this Handbook, we strive to provide an open door environment where employees are encouraged to approach management with questions, concerns or suggestions. A good rule of thumb, we believe, is not to take an office and/or personal concern to a team member who is not in a position of authority to address your concern.

Participating in office gossip will not be tolerated and may result in discipline up to and including termination of employment.

Appendix X – Element Lifestyle Retirement Inc. Employee Complaint Form

Name and contact information of complainant employee
Name of respondent(s) – i.e. the alleged perpetrator(s)

Personal statement

Please describe in as much detail as possible – and in a clear, specific and accurate way – the alleged discrimination, harassment, bullying or violence, including:

- the names of all affected parties
- any witness or witnesses to the incident(s)
- the location, date, and time of the incident(s)
- full details about the incident(s), including, without limitation, the alleged conduct (behaviour and/or words used)
- any additional details which would be helpful in the investigation

Attach any supporting documents, including, for example, relevant e-mails, handwritten notes, text messages, transcriptions of voice messages, photographs, etc. Also submit any physical evidence, e.g. vandalized property or offensive posters. If you require additional space, please append an additional page or additional page(s) to this document and consecutively number each page.

Signature of complainant employee	Date (mmm/dd/yyyy)