

MERRILL HOUSE

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Workplace Harassment Policy

Merrill House is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace including all management, staff, guests and other customers.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment. **Workplace sexual harassment** means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) 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 the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workers are encouraged to report any incidents of workplace harassment directly to Jordan Martin.

Jordan will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

Managers, supervisors and workers are expected to adhere to this policy, and will be held responsible by the employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.

If a worker needs further assistance, he or she may contact a human rights legal support centre.

Signed or Approved by: Jordan Martin



Date: 8th of December, 2020

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Workplace Harassment Program

Merrill House is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace (including customers, clients, other employers, supervisors, workers, and members of the public).

The workplace harassment program applies to all workers including managers, supervisors, temporary employees, students and subcontractors.

1. Workplace Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment.

Workplace sexual harassment means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) 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 the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. This includes performance reviews, scheduling priority, uniform requirements, critical direction, etc.

2. Reporting Workplace Harassment

How to Report Workplace Harassment

Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the workplace harassment complaint form (see attached). When reporting verbally, the reporting contact, along with the worker complaining of harassment, will fill out the complaint form. 49

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The report of the incident should include the following information:

- i. Name(s) of the worker who has allegedly experienced workplace harassment and contact information
- ii. Name of the alleged harasser(s), position and contact information (if known)
- iii. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
- iv. Details of what happened including date(s), frequency and location(s) of the alleged incident(s) a.
Any supporting documents the worker who complains of harassment may have in his/her possession that is relevant to the complaint.
b. List any documents a witness, another person or the alleged harasser may have in their possession that is relevant to the complaint.

Who to Report Workplace Harassment?

An incident or a complaint of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

Report a workplace harassment incident or complaint to Jordan Martin. If employer (e.g. owner, senior executive, director) is the person engaging the workplace harassment, contact Katherine Nason,

All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

3. Investigation

a. Commitment to Investigate

Merrill House will ensure that an investigation appropriate in the circumstances is conducted when the employer, human resources, a manager or supervisor becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.⁵⁰

b. Who Will Investigate

Jordan Martin will determine who will conduct the investigation into the incident or complaint of workplace harassment.

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c. Timing of the Investigation

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

d. Investigation Process

The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

- i. The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- ii. The investigator must thoroughly interview the worker who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is a worker of the employer. If the alleged harasser is not a worker, the investigator should make reasonable efforts to interview the alleged harasser.
- iii. The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
- iv. The investigator must interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
- v. The investigator must collect and review any relevant documents.
- vi. The investigator must take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser and any witnesses.

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- vii. The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

e. Results of the Investigation

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Within 10 days of the investigation being completed, the worker who allegedly experienced the workplace harassment and the alleged harasser, if the he or she is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address workplace harassment.

f. Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not to discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

g. Handling Complaints

Jordan Martin will handle the investigation of harassment complaints. An investigation will be conducted immediately and all concerned parties will be notified whilst respecting the privacy of the complainant. Should harassment be determined, then a 10 day unpaid suspension will follow for the guilty party. Should harassment be repeat, termination will follow. Should it be deemed unsafe for the guilty party to remain at Merrill House altogether they will be immediately terminated.

4. Record-Keeping

The employer (human resources or designated person) will keep records of the investigation including:

- a) a copy of the complaint or details about the incident;
- b) a record of the investigation including notes;

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- c) a copy of the investigation report (if any);

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- d) a summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
- e) a copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

Records will be kept for two years.

Created by: Jordan Martin, President, Merrill House

Date created: 8th of December, 2020. Annual review date: 1st of December.

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Workplace Violence Policy

The management of Merrill House is committed to the prevention of workplace violence and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence from all sources.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to all staff and guests and other customers alike. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns.

Merrill House as the employer, will ensure this policy and the supporting program are implemented and maintained. All workers and supervisors will receive appropriate information and instruction on the contents of the policy and program.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats. Such concerns or reports should be directed to Jordan Martin.

Management pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible. Jordan Martin will conduct a comprehensive investigation into all issues in a timely manner.

Signed: Jordan Martin, President



Date: 8th of December, 2020

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Workplace Violence Program

1. Mitigating Risks

Merrill House is dedicated to controlling the risks of workplace violence through the following measures and procedures with the ultimate aim being to avoid physical injury:

- a) Safe work procedures addressed in training by department managers and indicated on the Workplace Health and Safety Board in the basement hallway.
- b) Open doors to workspaces and at least two people working together whenever possible.
- c) Multiple entrances and exists without barriers and with sufficient lighting.
- d) A designated safe location of the reception desk indoors and the sidewalk in front of Merrill House outside.
- e) No person with a history of violence known to management will be employed at Merrill House. It is the responsibly of anyone with knowledge of an individual with such a history to make it known to management.
- f) Staff will be trained and reminded of these procedures as part of their initial training and reminded annually.
- g) Aggressive behaviour deemed likely to advance to violence will result in immediate dismissal.

2. Summoning Assistance

It is the responsibly of both management and staff to ensure that all violence is avoided. If violence occurs or is likely to occur it should be reported to Jordan Martin by all parties aware. In his physical absence, he can be reached by email at jordan@merrill-house.com or by telephone at (613) 970-8179. If for some reason, Jordan cannot be reached in a timely manner, Janet Martin may be reached at (613) 922-2841 or at janet@merrill-house.com.

If there is an immediate threat of injury or danger all parties aware of the situation should contact the police at 911. If injury has occurred, medical assistance should also be summoned at 911.

3. Reporting Incidents

It is critical that all incidents are reported immediately after one becomes aware of them. They should be reported to Jordan Martin by all parties aware. In his physical absence, he can be reached by email at jordan@merrill-house.com or by telephone at (613) 970-8179.

The following information should be included in the report to Jordan:

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- a) Date, time and location of incident.
- b) Names of all parties involved including witnesses.
- c) The inclusion of all relevant information such as any prior aggressions leading to the event.

4. Employer Responsibility

Jordan Martin will ultimately be responsible for investigating and dealing with incidents and complaints of violence. The investigation will begin immediately and he will consult all witnesses and parties involving, including external parties such as the authorities when deemed appropriate. All details of the investigation will be documented in writing and reported to the Ministry of Labour.

Jordan also takes responsibility for regularly monitoring Merrill House for violence issues and conducting training if and when an issue is raised.

Created by: Jordan Martin, President, Merrill House

Date created: 8th of December, 2020. Annual review date: 1st of December.