

Harassment and Discrimination Policy Statement

It is the policy of HiPoint Financial that all staff and independent contractors have a right to a work and study environment that is safe and respectful, free from discrimination, hate and harassment including that which is related to any of the prohibited grounds in the Ontario Human Rights Code including race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status, family status, disability, sexual orientation (and same sex partnership status) and record of offences, as these terms are defined and interpreted in and by the Ontario Human Rights Code.

Scope

This policy applies to all staff and independent contractors of HiPoint Financial including agents, employees, members of the Board of Directors, members of committees, volunteers, interns, visitors and guests (including guest speakers). This policy covers incidents that occur both on and off HiPoint Financial's premises, in both physical and virtual environments, which affect the working environment.

Definitions

HiPoint Financial maintains a glossary of terms specific to the company. The ones in use for this document are defined below.

Caste-based Discrimination

Discrimination based on social constructs or hierarchies that determine an individual's or group's social class or standing in a community rooted in historical, political, social, cultural and economic structures within some cultural and religious communities.

Creed

Creed refers to religious beliefs and practices. Creed may also include non-religious belief systems that, like religion, substantially influence a person's identity, worldview and way of life. People who follow a creed, and people who do not, have the right to live in a society that respects pluralism and human rights and the right to follow different creeds. Examples include spiritual practices such as prayer, wiccanism, and Indigenous practices and beliefs including ceremonies and smudging.

Discrimination

Action(s) or behaviour(s) creating harmful, adverse or differential treatment related to the prohibited grounds. According to the Ontario Human Rights Commission, it includes the following elements: 1) not individually assessing the unique merits, capacities and circumstances of a person; 2) instead, making stereotypical assumptions based on a person's presumed traits; and 3) having the impact of excluding persons, denying benefits or imposing burdens.

Common examples are refusal to provide goods, services or facilities, exclusion from employment or employment benefits, refusal to work with someone and/or failure to provide physical access.

Harassment

One or a series of vexatious comments or conduct related to one or more of the prohibited grounds that is/are known or might reasonably be known to be unwelcome, offensive, intimidating, hostile or inappropriate. Included in this definition are behaviours or messages, both verbal and non-verbal, from individuals or groups that, in the determination of Hipoint Financial, could result in psychological distress, discomfort or feelings of harassment/discrimination to vulnerable populations and/or protected identities. Examples include, among others: gestures, remarks, jokes, taunting, innuendo, verbal assault, hazing, shunning or exclusion related to the prohibited grounds.

Note: While the definition covers a wide range of conduct, violations of the Criminal Code such as threats and/or physical assault will be reported to the Police.

Hate

The Supreme Court of Canada has identified that expressions of hate involve vilification and detestation of identifiable groups implying that individuals are to be despised, scorned, denied respect, and/or subjected to ill treatment based on their group affiliation.

Negative or Poisoned Environment *Clarity. Empowerment. Opportunity*

A series of comments or a pattern of conduct creating an environment that is hostile, intimidating or offensive for individuals or groups related to the prohibited grounds. The comment or conduct must be of a significant nature or degree and have the effect of "poisoning" the work or study environment. A complainant does not have to be a direct target to be adversely affected by a negative environment. Examples include exposure to videos, signs, emails, pictures, group chat platforms, cartoons, and remarks.

Racial Discrimination

Discrimination due to race, or as iterated by the OHRC, by the "socially constructed way of judging, categorizing and creating difference among people", and can occur through stereotyping and overt prejudice, attitudes and beliefs, or in more subconscious, subtle and subversive ways. Examples of Racial Discrimination include, but are not limited to: Anti-Black Racism, Anti-Asian Racism, Anti-Indigenous Racism, Anti-Semitism, and Islamophobia.

Sexual Harassment

A course of vexatious comments, conduct and/or communication based on sex, sexual orientation, gender, gender identity, or gender expression that is known or should have been known to be unwelcome. Sexual harassment includes making unwelcome sexual solicitations, attentions, or advances; the implied or expressed promise of benefits or advancement in return

for sexual favours; threats of reprisals for rejecting unwelcome solicitations or advances; engaging in comment or conduct that creates a hostile or poisoned environment to persons of a specific sex, sexual orientation, gender identity, or gender expression; and incidents that occur through electronic means.

Note: Criminal Code violations, such as sexual assault or stalking, will be handled under the Sexual Assault and Sexual Violence Policy

Workplace Harassment

Workplace Harassment is defined by Ontario's Occupational Health and Safety Act as 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 and can include workplace sexual harassment.

Policy

As an important part of this policy, the accompanying procedures provide an internal mechanism for receiving complaints of discrimination or harassment and setting out a process by which HiPoint Financial will manage and respond to those complaints. Although the company's procedures are written in the language of an individual complaint, group complaints may be brought under this policy. Similarly, there may be more than one respondent involved in a complaint.

1. **Intersectional Approach:** The experience of discrimination when multiple grounds are involved may be complex. An intersectional approach, considering the uniqueness of experience recognizing that individuals have multiple identities and that these identities shape their experience of discrimination.
2. **Timelines:** A complaint, either formal or informal, must be reported within six (6) months of the incident except in extenuating circumstances that would explain the delay. Should a late complaint be filed, HiPoint Financial will assess the extenuating circumstances against any prejudice to a respondent and/or to the company to determine if the matter should proceed through the complaint process.
3. **Procedural Fairness:** No action will be taken against a person or group without their knowledge where there is an alleged breach of the Human Rights Code. It is intended that they be given reasonable notice, with a summary of the alleged breach and an opportunity to answer to the allegations made.
4. **Confidentiality:** HiPoint Financial acknowledges that it may be difficult to come forward with a complaint of discrimination or harassment and recognizes a complainant's interest in keeping the matter confidential. To protect the interests of the complainant, the respondent and any others who may be involved, HiPoint Financial will use its best efforts to maintain confidentiality to the extent practicable and appropriate under the circumstances; however, confidentiality does not mean anonymity. In the instance of a formal complaint, a fundamental principle is that the respondent must be informed of who has made the allegations at the earliest possible point in the process. Investigation documents will be stored in a confidential file held by Human

Resources, in a location separate from the employee's HR file. Disciplinary record documentation regarding substantiated acts of harassment will be maintained in secure locations which may include Compliance Officer's office. The file will be maintained in accordance with the company's practices regarding document retention and may be retained indefinitely.

5. **Anonymous complaints:** We accept anonymous reports including with respect to complaints regarding contravention of this policy, however, in accordance with the Confidentiality section noted above, anonymity may limit our ability to investigate such complaints.
6. **Exceptional Circumstances:** HiPoint Financial has the right to act or direct procedures which diverge from sections of this policy when the safety of the individual and/or the company is at risk.
7. **Intersection with other policies:** The protections within this policy exist in conjunction with company policies and concepts including freedom, and policy statement on upholding free speech. Where the exercise of freedom and/or free speech crosses into the realms of Discrimination, Harassment, a threat, or Hate speech, this policy shall govern.
8. **Parallel Processes:** It is recognized that complaints may be pursued under the Ontario Human Rights Code directly with the Ontario Human Rights Commission or by way of a grievance procedure outlined under the relevant collective agreement.
9. **Protection from Reprisals, Retaliation or Threats:** It is contrary to this policy for anyone to retaliate, make reprisals or threaten to retaliate or reprise against a complainant or other individual for:
 1. Having pursued rights under this Policy or the Ontario Human Rights Code or other legislation.
 2. Having participated or co-operated in an investigation under this Policy or the Ontario Human Rights Code or other legislation.
 3. Having been associated with someone who has pursued rights under this Policy or the Ontario Human Rights Code or other legislation.
 4. Anyone engaged in such conduct may be subject to sanctions or discipline.
10. **Balance of Probabilities:** This represents the standard of proof that must be met to draw the conclusion that it is more likely than not that the allegation or fact asserted is true, based on sufficient, relative, probative and credible evidence.
11. **Unsubstantiated Complaints:** If a person, in good faith, files a harassment complaint that is not supported by evidence gathered during an investigation, that complaint will be dismissed and no record of it will be placed on file.
12. **Frivolous, vexatious or bad faith conduct:** Allegations of harassment or discrimination are serious matters. Complaints made without sufficient grounds to purposely annoy, embarrass or harm the respondent are considered frivolous, vexatious, or bad faith complaints and may result in sanctions or discipline against the complainant.
13. **Right to Withdraw a Complaint:** A complainant has the right to withdraw a complaint at any stage of the process. However, HiPoint Financial may continue to act on the issue identified in

the complaint to comply with its legal obligations under the Ontario Human Rights Code or other legislation.

14. **Referrals:** Any complaint not addressed through the company's processes may be referred by the complainant to the Ontario Ombudsman.
15. **Annual Reporting:** A report shall be provided to the Board of Directors each year If an action has taken place proper notification will occur. An example of reporting might occur to FSRA, The Privacy Office or the Police for further action.

Relevant Legislation and Related Documents

Relevant legislation

Ontario Human Rights Code

Occupational Health & Safety Act

Financial Service Regulatory Authority of Ontario

